

MC No. 262 of 13
IN WP(C) No. 223 of 2013

01.10.2013

HON'BLE THE CHIEF JUSTICE

Shri HS Thangkhiew, Sr. Advocate, assisted by
Shri N Mozika, Advocate, present for the applicants.

Shri K Khan, Addl. Sr. GA, present for the
respondents No. 1 & 3.

This Misc. Case stands disposed of as infructuous
in the light of the order passed in the main petition i.e.
WP(C)No. 223 of 13.

CHIEF JUSTICE

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01.10.13

MC(WP(C))No. 272 of 2013
IN WP(C) No. 237 of 2013

01.10.2013

HON'BLE THE CHIEF JUSTICE

Shri B Bhattacharjee, Advocate, present for the applicant.

Shri N Khan, Advocate, present for the respondents No. 1 to 3.

Learned counsel for respondents No. 1 to 3 prays for and is allowed three weeks' time to file counter affidavit.

List this Misc. Case after three weeks along with the main petition i.e. WP(C)No. 237 of 13.

CHIEF JUSTICE

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01.10.13

WP(C) No. 43 of 2013

01.10.2013

HON'BLE THE CHIEF JUSTICE

Shri S Thapa, Advocate, present for the petitioner.

Ms N Lohakar, Advocate, holding the brief for Mrs R Borah, counsel for the respondents.

Learned counsel for the petitioner prays for and is allowed further two weeks' time to file rejoinder affidavit.

List after two weeks.

CHIEF JUSTICE

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01.10.13

WP(C) No. 78 of 2013

01.10.2013

HON'BLE THE CHIEF JUSTICE

Shri HS Thangkhiew, Sr. Advocate, assisted by Shri P Nongbri, Advocate, present for the petitioner.

Smti S Bhattacharjee, GA, present for the respondents No. 1 to 4.

Shri S Thapa, Advocate, present for respondent No. 5.

It is stated that a counter affidavit has been filed on behalf of respondent No. 5 today.

Learned counsel for the petitioner prays for and is allowed two weeks' time to file rejoinder affidavit.

List after two weeks.

CHIEF JUSTICE

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01.10.13

WP(C) No. 184 of 2013

01.10.2013

HON'BLE THE CHIEF JUSTICE

Shri S Dey, Advocate, present for the petitioner.

Shri ND Chullai, Sr. GA, present for the respondents.

Learned counsel for the petitioner prays for and is allowed further three days time to file rejoinder affidavit to the affidavit filed on behalf of the respondents.

List after three days.

CHIEF JUSTICE

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01.10.13

WP(C) No. 223 of 2013

01.10.2013

HON'BLE THE CHIEF JUSTICE

Shri HS Thangkhiew, Sr. Advocate, assisted by Shri N Mozika, Advocate, present for the petitioner.

Shri K Khan, Addl. Sr. GA, present for the respondents No. 1 & 3.

In view of the judgment and order dated 13.09.2013 passed by the Apex Court in SLP(C) No. 19617 of 2013 and SLP(C)...CC No. 13359 of 2013, this writ petition has become infructuous.

Accordingly, the writ petition is dismissed as infructuous with the observations that the students whose admissions and degrees were declared illegal may also make representation to the State Government as observed by the Apex Court in its order.

CHIEF JUSTICE

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01.10.13

WP(C) No. 237 of 2013

01.10.2013

HON'BLE THE CHIEF JUSTICE

Shri B Bhattacharjee, Advocate, present for the petitioner.

Shri N Khan, Advocate, present for the respondents No. 1 to 3.

Learned counsel for the respondents No. 1 to 3 prays for and is allowed further three weeks' time to file the counter affidavit.

List after three weeks.

CHIEF JUSTICE

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01.10.13

01.10.2013

HON'BLE THE CHIEF JUSTICE

Shri AS Siddique, Advocate, present for the writ petitioner.

Shri R Gurung, GA, present for the respondents No. 1 to 3.

By means of this writ petition, filed under Article 226 of the Constitution of India, the petitioner has sought for writ in the nature of mandamus directing that the petitioner be appointed as Assistant Teacher in Ringrikingre Govt. Deficit Upper Primary School, South Garo Hills. The petitioner has further sought that the appointment of respondent No. 6 Shri Balsrang Momin, as Assistant Teacher in such school be quashed.

The brief facts of the case are that the petitioner was appointed initially as Assistant Teacher in the aforesaid school vide Resolution dated 08.04.2013 (copy of Annexure II), under the Government Deficit Rules of Pay Scale. The said resolution (Annexure II) shows that the total number of marks obtained by the respondent No. 6 Shri Balsrang Momin were 825 i.e. Marks obtained in PU-206 and BA- 619 while that of petitioner Shri Walsang N. Sangma are 734 (226+508). There were eight candidates for the post of Assistant Teacher in Ringrikingre Govt. Deficit Upper Primary School, South Garo Hills.

Admittedly, the writ petitioner and other candidates were invited to face the interview copy of the resolution by which result of the interview was declared vide Annexure IV. The said document discloses that Shri Balsrang Momin (respondent 6) secured 179 marks in the interview while the petitioner Shri Walsang N. Sangma secured 176 marks.

Learned counsel for the petitioner submitted that the actually Shri Walsang N. Sangma (petitioner) secured 196 marks in the interview, and he has been wrongly deprived of the appointment. However, perusal of Annexure IV itself shows that, the below the marks are mentioned, it is clearly stated that it was Shri Balsrang Momin (respondent 6) who secured highest marks and stood first position after the interviews were conducted.

In the above circumstances, having considered the submissions of the learned counsel for the parties and perusal of the materials on record, this Court is not inclined to interfere in the matter.

Therefore, this writ petition is dismissed summarily.

CHIEF JUSTICE

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01.10.13