

BA. No. 134 of 2013

4.11.2013

HON'BLE THE CHIEF JUSTICE

Shri S.Wahlang, Advocate present for the appellant.

Shri N.D.Chullai, Senior Advocate present for the respondents.

Heard.

By means of this petition/application, the petitioner/plaintiff has sought bail of her son Shri. Bobby Lyngdoh Nongpiur who is in jail in connection with charge sheet No. 32 (arising out of Crime Case No. 80(8) of 2013 at Police Station, Rynjah pending in the Court of Special Judge, Shillong relating to offences punishable under Sections 22(a) and 27(a) of Narcotic Drugs Psychotropic Substance Act, 1985.

Learned counsel for the petitioner/applicant pointed out that only 1.25 grams of heroin is said to have been recovered from the accused (son of applicant). It is further pointed out that the small quantity prescribed in the schedule of the Act is 5 grams, and minimum commercial quantity is 250 grams.

As such the recovery of the contraband said to have been made is much less than the maximum limit of small quantity. It is further submitted on behalf of the applicant's son that the applicant has been falsely implicated. It is also pleaded that the applicant's son has no criminal history.

In the above circumstances, this Court is of the view that the applicant's son, Shri Bobby Lyngdoh Nongpiur deserves bail. Accordingly, the bail application/petition is allowed. Let the accused, Shri Bobby Lyngdoh Nongpiur be released on bail on executing a personal bond and furnishing two sureties each of like amount, to the satisfaction of the Special Court, N.D.P.S. Act, Shillong.

CHIEF JUSTICE

S.Rynjah

Cont./Cas(C) No. 36 of 2012

4.11.2013

HON'BLE THE CHIEF JUSTICE

Ms. L.Khiangte, Advocate present for the petitioner.

Shri K.Khan, Addl. Sr. Govt. Advocate present for the respondents.

Adjourned at the request of the learned counsel for the respondents.

List this case in the week commencing from 25th November, 2013.

CHIEF JUSTICE

S.Rynjah

CRL.A No. 5 of 2010

4.11.2013

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of Shri B.K.Deb Roy, counsel present for the appellant.

List this case on 19-11-2013 for final hearing.

CHIEF JUSTICE

S.Rynjah

CRL. A.No. 9 of 2010

4.11.2013

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of Ms. L.Warjri, counsel present for the appellant.

List this case on 21-11-2013.

CHIEF JUSTICE

S.Rynjah

CRL.REV.P. No. 62 of 2013

4.11.2013

HON'BLE THE CHIEF JUSTICE

Shri K.C.Gautam, Advocate present for the revisionist.

Heard.

This revision is directed against the summoning order dated 26-8-2013 passed by the Judicial Magistrate First Class, in Criminal Complaint Case No. 1262 (S) of 2012 whereby the revisionists have been summoned to face trial in respect of offences and punishable under Sections 448/506/34 IPC.

Learned counsel for the revisionists submitted that it is a case of purely civil dispute of property situated in Rajasthan between the parties. It is submitted that an agreement for sale of property in Jaipur was executed in Rajasthan in the year 2011 whereby the complainant-respondent agreed to sell his property to the petitioners. It appears that the sale deed could not be executed and suit No. 150 of 2012 filed by petitioners is pending before the Additional Civil Judge (JD), East Jaipur, Metropolitan, Jaipur. It is contended that a criminal complaint has been filed by the complainant as a counter blast to the lis pending in the Rajasthan Court to harass the petitioners. It is further argued that it is abuse of process of law on the part of the complainant.

Admit the petition.

Issue notice to respondent, Shri Jadish Prasad Goyal.

Having heard learned counsel for the petitioners and after going through the impugned order passed by the Trial Court, the operation of the impugned order dated 26-8-2013 whereby the petitioners are summoned to face trial in criminal case No. 1262 (S) of 2012 by Judicial Magistrate First Class, Shillong, is hereby stayed till the next date of listing.

List this case after 4(four) weeks.

CHIEF JUSTICE

S.Rynjah

CRL.REV.P. No. 64 of 2013

4.11.2013

HON'BLE THE CHIEF JUSTICE

Shri H.L.Shangreiso, Advocate present for the revisionist.

Issue notice to respondent, Shri Stailing Mukhim who may file his counter affidavit within a period of 4(four) weeks.

The revisionist is directed to implead the State of Meghalaya as respondent No. 2 so that the State may also file its counter affidavit as to the law and order problem if, any, still persisting, arisen out of the dispute regarding which C.T. Case No. 2 of 2013 is pending before the Executive Magistrate, West Jaintia Hills District, Jowai.

List this case after 4(four) weeks.

CHIEF JUSTICE

S.Rynjah

CRP. No. 43 of 2013

4.11.2013

HON'BLE THE CHIEF JUSTICE

Shri. B.Bhattacharjee, Advocate present for the writ petitioners.

Smti B.Goel, Advocate present for the respondents.

Heard.

Learned counsel for the respondents pointed out that in terms of order dated 24-10-2008 passed by the Supreme Court in Special Leave to Appeal (Civil) No (s). 25260 of 2008, the Trial Court was required to decide the suit within a period of 2(two) months. It is further pointed out that by summoning the Lower Court records vide order dated 16-9-2013, the proceedings of the suit are held up.

In the circumstances, it is directed that the records of the suit be sent back to the Trial Court so that the Supreme Court direction is not violated.

List this case on 7-11-2013.

CHIEF JUSTICE

S.Rynjah

CRP. No. 45 of 2013

4.11.2013

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of Ms. P.Bhattacharjee, counsel present for the revisionist.

List this case on 7-11-2013 for orders.

CHIEF JUSTICE

S.Rynjah

CRP. No. 48 of 2013

4.11.2013

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of Ms. L.Warjri, Advocate present for the respondents.

List this case on 12-11-2013.

CHIEF JUSTICE

S.Rynjah

CRP. No. 50 of 2013

4.11.2013

HON'BLE THE CHIEF JUSTICE

Shri M.Shangpliang, Advocate present for the revisionist.

Shri N.D.Chullai, Senior Advocate present for the respondent.

Heard.

This revision is directed against the order dated 19-8-2013 and 3-9-2013 passed by the Assistant to Deputy Commissioner, Shillong in Title Suit No. 25 (T) of 2013 whereby the plaintiff has been directed to serve notice under section 80 of Code of Civil Procedure 1908.

Learned counsel for the plaintiff/revisionist submitted that the Trial Court has erred in law by directing the plaintiff to serve notice under section 80 of Code of Civil Procedure 1908 in the pending case.

I agree with the learned counsel for the revisionist that if the suit was not maintainable against the government without service of notice under section 80 of Code of Civil Procedure 1908, the Trial Court should have directed to return the plaint to the plaintiff with liberty to file the suit after compliance of section 80 of Code of Civil Procedure 1908.

Accordingly, this revision is summarily disposed of with the direction that the plaint shall be returned to the plaintiff with liberty to file afresh after compliance of section 80 of the Code of Civil Procedure 1908.

Accordingly, the impugned orders passed by the Trial Court shall stand modified to that extent.

CHIEF JUSTICE

S.Rynjah

MC[WP(C)] No. 326 of 2013

4.11.2013

HON'BLE THE CHIEF JUSTICE

Shri R.Deb Nath, learned CGC present for the applicant.

Shri A.S.Siddique, Advocate present for the opposite party/writ petitioner.

Heard.

By means of this application, Misc. Case No. 326 of 2013, the applicant has sought further 3(three) months time for compliance of the order dated 12-9-2013 passed by this Court in WP(C) No. 263 of 2013.

Prayer made in the application is innocuous. The direction of this Court was to decide the representation of the writ petitioner.

Having considered the submissions of the learned counsel for the parties, this Misc. Case is disposed of allowing the applicant to decide the representation of the writ petitioner within a further period of 3(three) months from today.

CHIEF JUSTICE

S.Rynjah

WP(C) N. 90 of 2011

4.11.2013

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of Shri P.Nongbri, counsel present for the petitioner.

List this case next week commencing 11th November, 2013.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 136 of 2011

4.11.2013

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of Ms. S.G.Momin, counsel present for the petitioners.

List this case on 12-11-2013 for final hearing.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 167 of 2006

4.11.2013

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of Ms. P.Das, Advocate holding brief of Mrs. P.D.B.baruah, Advocate for the petitioner.

List this case on 13-11-2013 for final hearing.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 200 of 2010

4.11.2013

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of Ms. M.Chakraborty, counsel present for the petitioner.

List this case on 15-11-2013 for final hearing.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 312 of 2010

4.11.2013

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of Shri R. Choudhury, counsel present for the petitioners.

List this case next week.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 314 of 2013

4.11.2013

HON'BLE THE CHIEF JUSTICE

Shri A.S.Siddique, Advocate present for the writ petitioner.

Shri R.Gurung, Govt. Advocate present for the respondents.

Heard.

By means of this writ petition, the writ petitioner has prayed that a mandamus directing re-transfer the petitioner's brother, Shri Salman D. Sangma from District Jail, Jowai to District Jail, Tura be issued as the trial which is being faced by him (petitioner's brother) is pending before the Court at Tura.

Learned counsel for the respondents prays for and is allowed 2(two) weeks' time to file counter affidavit.

List this case on 19-11-2013.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 346 of 2009

4.11.2013

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of Mr. B.K.Das, counsel present for the petitioner.

List this case on 12-11-2013 for final hearing.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 354 of 2011

4.11.2013

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of Ms. P.Das, Advocate holding brief of Mrs. P.D.B.Baruah, Advocate for the petitioner.

List this case on 13-11-2013 for final hearing.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 358 of 2010

4.11.2013

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of Mr. H.L.Shangreiso, counsel present for the petitioner.

List this case on 15-11-2013.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 361 of 2011

4.11.2013

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of Shri S.C.Shyam, Senior counsel present for the respondents.

List this case on 7-11-2013 for final hearing.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 373 of 2002

4.11.2013

HON'BLE THE CHIEF JUSTICE

Shri E.Nongbri, Advocate present for the writ petitioner.

Shri L.D.Choudhury, Advocate present for respondents No.4 and 5.

Shri S.Sen Gupta, Govt. Advocate present for respondents No. 1 and 2.

Heard.

Learned counsel for the writ petitioner prays for and is allowed to withdraw this writ petition.

The writ petition is dismissed as withdrawn.

Interim order dated 28-10-2002 stands hereby vacated.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 374 of 2010

4.11.2013

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of Ms. H.R.Nath, counsel present for the petitioner.

List this case on 11-11-2013 for final hearing.

CHIEF JUSTICE

S.Rynjah

CR(P) No. 40 of 2010

04.11.2013

HON'BLE THE CHIEF JUSTICE

Shri S Wahlang, Advocate, present for the petitioner.

Shri R Gurung, Advocate, present for the respondent.

In view of the order passed in Misc. Case No. 317 of 2013, the revisionist is allowed to incorporate the correction in the array of party substituting Smti Trimai Kharumnuid as legal representative of respondent No. 2.

List this civil revision in the week commencing from 18.11.2013.

CHIEF JUSTICE

dev
04.11.13

CR(P) No. 40 of 2010

04.11.2013

HON'BLE THE CHIEF JUSTICE

Shri S Wahlang, Advocate, present for the petitioner.

Shri R Gurung, Advocate, present for the respondent.

In view of the order passed in Misc. Case No. 317 of 2013, the revisionist is allowed to incorporate the correction in the array of party substituting Smti Trimai Kharumnuid as legal representative of respondent No. 2.

List this civil revision in the week commencing from 18.11.2013.

CHIEF JUSTICE

dev
04.11.13

MC No. 119 of 2013
IN WP(C) No. 83 of 2013

04.11.2013

HON'BLE THE CHIEF JUSTICE

List this matter along with WP(C)No. 83 of 2013 in
due course.

CHIEF JUSTICE

dev
04.11.13

MC No. 317 of 2013
IN CR(P) No. 323 of 2010
IN CR(P) No. 40 of 2010

04.11.2013

HON'BLE THE CHIEF JUSTICE

Shri S Wahlang, Advocate, present for the revisionist.

Shri R Gurung, Advocate, present for the respondent.

By means of this application (Misc. Case No. 317 of 2013), the respondent has sought for substitution of Smti Trimai Kharumnuid who is daughter of the deceased respondent No. 2 (Smti Iohman Kharumnuid).

Heard.

The application is supported by an affidavit. Delay in filing application has been condoned vide the order of the date passed in Misc. Case No. 318/2013 (Technically provisions of Code of Civil Procedure 1908 are not applicable to the case).

Learned counsel for the revisionist has no objection if the substitution application is allowed.

Therefore, the substitution application (Misc. Case 317 of 2013) moved in Misc. Case No. 323 of 2010 in CR(P) No. 40 of 2010 is allowed. Let the substitution be made during the course of the day.

CHIEF JUSTICE

dev
04.11.13

MC No. 318 of 2013
IN MC (CR(P) No. 323 of 2010
IN CR(P) No. 40 of 2010

04.11.2013

HON'BLE THE CHIEF JUSTICE

Shri S Wahlang, Advocate, present for the revisionist.

Shri R Gurung, Advocate, present for the respondent.

By means of this application (Misc. Case No. 318 of 2013), condonation of delay in moving substitution application by legal representative of respondent No. 2 has been sought.

Heard.

The delay has been sufficiently explained in the affidavit filed with the delay condonation application by Smti Trimai Kharumnuid (legal representative).

Therefore, the delay condonation application (Misc. Case No. 318 of 2013) is allowed, and delay in moving substitution application is condoned.

CHIEF JUSTICE

dev
04.11.13

WP(C) No.358 of 2010

HON'BLE THE CHIEF JUSTICE

05.11.2013

Adjourned at the request of the learned counsel for the petitioner. List on 11.11.2013.

CHIEF JUSTICE

A.S.
05.11.2013

WP(C) No.189 of 2011

HON'BLE THE CHIEF JUSTICE

05.11.2013

Adjourned at the request of Mr. P. Nongbri, Advocate present for the respondents. List it on 12.11.2013 for final hearing.

CHIEF JUSTICE

A.S.
05.11.2013

CRL.REV.P No.65 of 2013

HON'BLE THE CHIEF JUSTICE

05.11.2013

Mr. S. Wahlang, Advocate present for revisionist.

Mr. S. Sengupta, Advocate present for the respondent.

Delay in filing this criminal revision petition has been condoned vide order of the date, passed in Misc. Case No.60 of 2013.

Heard.

This criminal revision is directed against the judgment and order dated 27.09.2012 passed by the Special Judge, Special Court/Fast Track Court, Nongstoin in G.R.Case No.184 of 2009 whereby the said court has convicted the accused/revisionist Shri Wulningstar Wanniang under Section 376 I.P.C. and sentenced the rigorous imprisonment for a period of seven years and directed to pay a fine of Rs.20,000/-.

Admit the revision.

List after lower court's record is received.

CHIEF JUSTICE

A.S.
05.11.2013

**Misc. Case No. 60 of 2013
in CRL.REV.P No.65 of 2013**

HON'BLE THE CHIEF JUSTICE

05.11.2013

Mr. W. Wahlang, Advocate present for revisionist/appellant.

Mr. S. Sengupta, Advocate present for the State-respondent.

Heard.

By means of this application, the applicant has sought condonation of delay in filing the revision against the order of conviction recorded by the trial court (Special Judge/Fast Track Court, Nongstoin) in G.R.Case No.184 of 2009 whereby the applicant has been convicted under Section 376 I.P.C. and sentenced the rigorous imprisonment for a period of 7 years and directed to pay a fine of Rs.20,000/-.

Perused the affidavit filed in support of the application. Delay is sufficiently explained.

Therefore, the application (Misc. Case No. 60 of 2013) for condoning the delay is allowed. Delay stands condoned.

CHIEF JUSTICE

A.S.
05.11.2013

WP(C)No. 358 of 2012

HON'BLE THE CHIEF JUSTICE

05.11.2013

Shri N. Khan, Advocate present for the petitioner.

Shri S. Sengupta, Advocate present for the respondents.

By means of this writ petition, the petitioner has sought writ of Mandamus to the respondent No.7 directing to call a General Public Meeting for formation of the Managing Committee of New Bhaitbari Bengali Upgraded Upper Primary School. The petitioner has further prayed that the impugned order dated 26.10.2012 issued by the respondent No.7 approving the Managing Committee headed by the respondent No.8 be quashed.

Counter affidavit has been filed on 12.07.2013 on behalf of respondent No.7 in compliance of this Court's order dated 02.07.2013, and compliance report has been filed (Flag-A).

Counsel for the petitioner states that no rejoinder affidavit is required to be filed against the counter affidavit filed on behalf of the respondent No.7.

Heard.

Admit the petition.

List this petition for final hearing in the week commencing from 18.11.2013.

CHIEF JUSTICE

A.S.

WP(C)No.361 of 2012

HON'BLE THE CHIEF JUSTICE

05.11.2013

Shri K. Khan, Advocate present for the writ petitioner.

Shri L. Khyriem, Advocate present for the respondent
No.4.

Shri V.G.K.Kynta, Senior Advocate present for the
respondent Nos. 1 to 3.

The learned counsel for the respondent No.4 prays for
further 2 weeks' time to seek instructions as to the decision on
No Objection Certificate to be issued in favour of the petitioner.

No counter affidavit has been filed by any of the
respondents.

List this writ petition on 26.11.2013 for
admission/orders.

CHIEF JUSTICE

A.S.
05.11.2013

CONT.CAS(C) No.10 of 2013

HON'BLE THE CHIEF JUSTICE

05.11.2013

Shri P. Nongbri, Advocate present for the petitioners.

Shri N.D.Chullai, Senior Advocate present for the respondent No.1.

Shri O.D.V.Ladia, Advocate present for the respondent Nos.2, 3 and 4.

The respondents have filed the response to the contempt petition filed by the petitioners.

Heard.

By means of this petition, the petitioners have alleged willful and deliberate disobedience of the Court's orders dated 03.05.2013 and 08.05.2013 passed in Civil Revision(P) No.1(SH) of 2013 whereby parties were directed not to disturb each others possession.

On perusal of the order said to have been violated that neither it is mentioned that which party is in possession of which part of the property. As such, there is no ambiguity in the order on one hand the present petitioners are alleged that the respondent Nos.2 to 4 have disobeyed the interim order passed by the Court and the respondent No.1 has not taken the same in true spirit of the order. On the other hand, in the response affidavit filed on behalf of the respondent Nos.2 and 3, it has been stated that the answering respondents have committed no contempt.

Contd.....P/2

Since it is not clear that the order said to have been disobeyed as to which party was in possession of which part of the property. As such, it is difficult to say that which party was restrained from interfering in the possession of the other party. There are allegations and counter allegations in the affidavits.

In the above circumstances, it cannot be said that there is any willful disobedience on the part of the respondents of the order said to have been allegedly disobeyed.

Therefore, the notices issued are discharged. The contempt petition No.10 of 2013 stands disposed of.

CHIEF JUSTICE

A.S.
05.11.2013

CRL.PETN. No.42 of 2013

HON'BLE THE CHIEF JUSTICE

05.11.2013

Shri P. Nongbri, Advodcate present for the petitioners.

Shri O.D.V.Ladia, Advocate present for the respondent
No.2.

The learned counsel for the respondent No.2 prays
and is allowed for further two weeks' time to file counter
affidavit.

List it after two weeks.

CHIEF JUSTICE

A.S.
05.11.2013

CRL.PETN. No.43 of 2013

HON'BLE THE CHIEF JUSTICE

05.11.2013

Shri P. Nongbri, Advodcate present for the petitioners.

Shri O.D.V.Ladia, Advocate present for the respondent
No.2.

The learned counsel for the respondent No.2 prays
and is allowed for further two weeks' time to file counter
affidavit.

List it after two weeks.

CHIEF JUSTICE

A.S.
05.11.2013

CRL.PETN. No.44 of 2013

HON'BLE THE CHIEF JUSTICE

05.11.2013

Shri P. Nongbri, Advodcate present for the petitioners.

Shri O.D.V.Ladia, Advocate present for the respondent
No.2.

The learned counsel for the respondent No.2 prays
and is allowed for further two weeks' time to file counter
affidavit.

List it after two weeks.

CHIEF JUSTICE

A.S.
05.11.2013

WP(C)No.173 of 2013

HON'BLE THE CHIEF JUSTICE

05.11.2013

Shri N. Khan, Advodcate present for the petitioner.

Shri K.P.Bhattacharjee, Advocate present for the
respondent os.1, 2 and 3.

In view of the order dated 30.08.2013 passed in the
instant case whereby the service of

CHIEF JUSTICE

A.S.
05.11.2013

WP(C) No. 83 of 2013

04.11.2013

HON'BLE THE CHIEF JUSTICE

Ms B Das, Advocate, present for the writ petitioner.

Shri P Nongbri, Advocate, holding the brief for Shri HS Thangkhiew, Sr. counsel for the respondents No. 1 to 4.

Shri B Laitmon, Advocate, present for respondents No. 6 and 7.

Respondents No. 6 and 7 have already filed counter affidavits. Same be taken on record.

Learned counsel for the petitioners states that rejoinder has already been filed in the Registry to the counter affidavit filed on behalf of respondent No. 5. Learned counsel for the petitioner further states that no rejoinder affidavit is required to be filed by the petitioner against the counter affidavit filed on behalf of respondents No. 6 and 7.

Heard.

By means of this writ petition, the petitioner has challenged the cancellation of Land Holding Certificate No. 37 of 2010 issued by the respondent No. 3 in favour of the petitioner.

Admit the writ petition.

List for final hearing in due course.

CHIEF JUSTICE

dev
04.11.13

WP(C) No. 137 of 2010

04.11.2013

HON'BLE THE CHIEF JUSTICE

Shri R Deb Nath, Advocate, present for the writ petitioner.

Shri H Abraham, Advocate, present for the State respondents.

Shri R Choudhury, Advocate, present for respondents No. 9, 10 and 11.

Shri BK Deb Roy, Advocate, present for respondent No. 12.

Learned counsel for respondents No. 9, 10 and 11 prays for and is allowed two weeks' time to file counter affidavit to the additional affidavit filed on behalf of the petitioner.

List on 21.11.2013 for final hearing.

CHIEF JUSTICE

dev
04.11.13

WP(C) No. 181 of 2013

04.11.2013

HON'BLE THE CHIEF JUSTICE

Shri HL Shangreiso, Advocate, present for the writ petitioner.

Shri AH Hazarika, Advocate, present for the respondents.

Adjourned at the request of the learned counsel for the respondents.

List after three weeks.

CHIEF JUSTICE

dev
04.11.13

WP(C) No. 221 of 2013

04.11.2013

HON'BLE THE CHIEF JUSTICE

Shri R Sahu, Advocate, present for the writ petitioner.

Shri S Dey, Advocate, present for the respondents No. 1, 2 and 3.

Ms QB Lamare, Advocate, present for respondents No. 4,5 and 6.

Learned counsel for the respondents pray for and are allowed further three weeks' time to file counter affidavits.

List after three weeks.

CHIEF JUSTICE

dev
04.11.13

WP(C) No. 238 of 2013

04.11.2013

HON'BLE THE CHIEF JUSTICE

Shri N Mozika, Advocate, present for the writ petitioner.

Shri S Sen Gupta, Advocate, present for respondent No. 1.

Shri ND Chullai, Sr. Advocate, present for respondents No. 2 and 3.

Ms R Paul, Advocate, present for respondent No. 4.

Affidavit-in-opposition has been filed on behalf of respondents No. 2 and 3. Same be taken on record.

Learned counsel for the writ petitioner prays for and is allowed two weeks' time to file rejoinder affidavit to the counter affidavit filed on behalf of respondents No. 2 and 3.

List after two weeks. Meanwhile, the other respondents are allowed to file counter affidavits.

CHIEF JUSTICE

dev
04.11.13

WP(C) No. 241 of 2013

04.11.2013

HON'BLE THE CHIEF JUSTICE

Ms AR Nath, Advocate, present for the writ petitioner.

Shri ND Chullai, Sr. Advocate, present for respondents No. 1 to 4.

Ms SG Momin, Advocate, present for respondents No. 5,7 and 9.

Notices sent by Registered Post to other respondents have not received back. The service is treated as sufficient.

Learned counsel for respondents No. 5, 7 and 9 prays for and is allowed three weeks' time to file counter affidavit.

List after three weeks.

CHIEF JUSTICE

dev
04.11.13

WP(C) No. 247 of 2009

04.11.2013

HON'BLE THE CHIEF JUSTICE

Shri BK Deb Roy, Advocate, present for the writ petitioner.

Shri H Abraham, Advocate, present for the State respondents.

Shri R Choudhury, Advocate, present for respondent No. 4.

Shri R Deb Nath, Advocate, present for respondent No. 5.

Adjourned at the request of the learned counsel for respondent No. 4.

List on 21.11.2013 along with the connected WP(C)No. 137 of 2010.

CHIEF JUSTICE

dev
04.11.13

WP(C) No. 248 of 2013

04.11.2013

HON'BLE THE CHIEF JUSTICE

Shri R Jha, Advocate, present for the writ petitioner.

Shri R Deb Nath, CGC, present for the respondents.

Heard.

By means of this writ petition under Article 226 of the Constitution of India, the writ petitioner has sought writ in the nature of mandamus directing the respondents to release family pension as well as death-cum-retiral benefit with all consequential benefits to the petitioner.

Admit.

Learned counsel for the respondents prays for and is allowed further three weeks' time to file counter affidavit.

List after three weeks.

CHIEF JUSTICE

dev
04.11.13

WP(C) No. 249 of 2013

04.11.2013

HON'BLE THE CHIEF JUSTICE

Shri K Sunar, Advocate, present for the writ petitioner.

Shri H Abraham, Advocate, present for respondent No. 1.

Shri R Gurung, Advocate, present for proforma respondent.

Ms NG Shylla, Advocate, present for respondent No. 6.

Other respondents stood served with notices sent by Registered Post which have not received back for a period of more than one month.

Learned counsel for respondents No. 1, 6 and proforma respondent No. 1 pray for and are allowed four weeks' time to file counter affidavits.

List after four weeks.

CHIEF JUSTICE

dev
04.11.13

WP(C) No. 277 of 2013

04.11.2013

HON'BLE THE CHIEF JUSTICE

Shri SA Sheikh, Advocate, present for the writ petitioner.

Shri AH Hazarika, Advocate, present for the State respondents.

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

Ms QB Lamare, Advocate, present for respondent No. 6.

Learned counsel for the respondents pray for and are allowed further four weeks' time to file counter affidavits.

List after four weeks.

CHIEF JUSTICE

dev
04.11.13

WP(C) No. 280 of 2013

04.11.2013

HON'BLE THE CHIEF JUSTICE

Shri R Sahu, Advocate, present for the writ petitioner.

Shri R Gurung, Advocate, present for the respondents.

Learned counsel for the respondents prays for and is allowed further four weeks' time to file counter affidavit.

List after four weeks.

CHIEF JUSTICE

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04.11.13

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