

Crl Appeal No. 1 of 2008

07.02.2014

HON'BLE THE CHIEF JUSTICE

Shri K Sunar, Advocate, present for the
appellant.

Shri VK Jindal, Senior Advocate, present for the
respondents.

Heard arguments.

Judgment reserved.

CHIEF JUSTICE

dev
07.02.14

Crl Appeal No. 3 of 2008

07.02.2014

HON'BLE THE CHIEF JUSTICE

Ms A Paul, Advocate, present for the appellant.

Shri VK Jindal, Senior Advocate, present for the respondents.

Heard arguments.

Judgment reserved.

CHIEF JUSTICE

dev
07.02.14

MC No. 15 of 2014
IN WP(C)No.26 of 2014

07.02.2014

HON'BLE THE CHIEF JUSTICE

List this Misc. Case along with WP(C)No. 15 of
2014 after four weeks.

CHIEF JUSTICE

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07.02.14

MC No. 16 of 2014
IN WP(C)No.341 of 2013

07.02.2014

HON'BLE THE CHIEF JUSTICE

List this Misc. Case along with WP(C)No. 341 of
2013 after three weeks.

CHIEF JUSTICE

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07.02.14

MC No. 347 of 2013
IN WP(C)No.316 of 2013

07.02.2014

HON'BLE THE CHIEF JUSTICE

List this Misc. Case along with WP(C)No. 316 of 2013 after the decision in the Civil Appeal pending before the Apex Court.

CHIEF JUSTICE

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07.02.14

WP(C)No.26 of 2014

07.02.2014

HON'BLE THE CHIEF JUSTICE

Shri VK Jindal, Senior Advocate, assisted by Smti QB Lamare, Advocate, present for the writ petitioners.

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

Heard.

By means of this writ petition, the petitioners have challenged the order dated 19.12.2013 passed by the Chief Executive Member, Garo Hills Autonomous District Council, Tura in Revenue Appeal No. 29/AC of 2012.

Admit the petition.

Issue notice to respondent No. 1 Smti. Nerinjing R Sangma, who may file her counter affidavit within a period of four weeks. Learned counsel for respondents No. 2 and 3, may also file counter affidavit within a period of four weeks.

Having heard learned counsel for the petitioners and learned counsel for respondents No. 2 and 3 and after going through the impugned order, whereby order of the trial court is set aside by respondent No. 2, as an interim measure, it is directed that status quo shall be maintained as to the Nokmaship of A'khing No. IV 56(10), East Garo Hills, till the next date of listing.

List after four weeks.

CHIEF JUSTICE

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07.02.14

WP(C)No.27 of 2014

07.02.2014

HON'BLE THE CHIEF JUSTICE

Shri HG Baruah, Advocate, present for the petitioner.

Shri R Deb Nath, CGC, present for respondents.

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

List after four weeks.

CHIEF JUSTICE

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07.02.14

WP(C)No.238 of 2013

07.02.2014

HON'BLE THE CHIEF JUSTICE

Shri PN Nongbri, Advocate, present for the petitioner.

Shri ND Chullai, Senior GA, present for the State respondents.

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

Learned counsel for respondent No. 4 prays for and is allowed two weeks' time to file counter affidavit.

List after two weeks. Meanwhile, the petitioner is allowed to file rejoinder affidavit to the counter affidavit filed on behalf of respondents No. 2 and 3.

CHIEF JUSTICE

dev
07.02.14

WP(C)No.341 of 2013

07.02.2014

HON'BLE THE CHIEF JUSTICE

Shri S Dey, Advocate, present for the petitioners.

Shri ND Chullai, Senior GA, present for respondent No. 1.

Shri PN Nongbri, Advocate, present for respondents No. 4,5,6,7, 10 and 12.

Counter affidavit has been filed on behalf of respondents No. 4,5,6,7,10 and 12. Same be taken on record.

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

List after three weeks for final hearing.

CHIEF JUSTICE

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07.02.14

THE HIGH COURT OF MEGHALAYA

WP(C) No. 343 of 2013

Shri Hari Ram Rajput (JC-80932 Subedar Major) Village – Sukahar, P.O. – Chalali, PS- Jawalamukhi District – Kangra, Himachal Pradesh, represented by Attorney Shri Bir Bahadur Konwar Chhetri (Ex-Subedar Major), Opposite Baptist Church, Madanriting, Shillong, East Khasi Hills District, Meghalaya

..... **Petitioner**

-Versus-

1. The Union of India, represented by the Secretary to the Government of India, Ministry of Home Affairs, New Delhi-110001.

2. The Director General Assam Rifles, HQ DGAR, Shillong-793011, Meghalaya.

3. Deputy Director (Records), Directorate General Assam Rifles, Shillong-793.

4. The Commandant, 8th Bn. Assam Rifles, C/o 99 APO.

..... **Respondents**

Shri SD Upadhaya, Advocate, present for the petitioner.

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

Date of Judgment and Order 7th February, 2014

JUDGMENT AND ORDER

ORAL: HON'BLE PRAFULLA C. PANT, CHIEF JUSTICE

Heard.

2. By means of this writ petition, the petitioner has challenged Discharge Order No. 776 dated 11.12.1991, whereby he was prematurely retired from service.

3. There is delay of more than twenty years in filing the writ petition.

4. Learned counsel for the petitioner submitted that meanwhile, similarly situated persons have got relief from the Gauhati High Court.

5. Having heard learned counsel for the parties, this Court is of the view that the above explanation cannot be said to be satisfactory for delay of twenty years in challenging the Discharge Order.

6. Therefore, this writ petition is dismissed summarily, on the ground of laches.

(Prafulla C. Pant)
CHIEF JUSTICE

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07.02.14