

ARB.P. No. 1 of 2013

11-2-2014

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of Ms. MM Diengdoh, Advocate, present for the respondent.

List on 18-2-2014 for final hearing.

CHIEF JUSTICE

S.Rynjah

Cont.Cas(C). No. 29 of 2013

11-2-2014

HON'BLE THE CHIEF JUSTICE

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

Learned counsel for the petitioner prays for and is allowed to file the correction/amendment application in the Registry during the course of the day.

List after 1(one) week.

CHIEF JUSTICE

S.Rynjah

Cont.Cas(C). No. 40of 2013

11-2-2014

HON'BLE THE CHIEF JUSTICE

Shri A.Khan, Advocate, present for the petitioners.

Shri P.Yobin, Advocate, present for the respondents.

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

List after 2(two) weeks.

CHIEF JUSTICE

S.Rynjah

CRL.Petn. No. 43 of 2013

11-2-2014

HON'BLE THE CHIEF JUSTICE

Shri P.N.Nongbri, Advocate, present for the petitioners.

Shri ND Chullai, Sr. Advocate, assisted by Shri S.Sen Gupta,
Govt. Advocate, present for the State respondents.

Shri P.Yobin, Advocate, present for the respondent No. 2.

Learned counsel for the petitioners prays for and is allowed to file
rejoinder affidavit during the course of the day.

List on 13-2-2014.

CHIEF JUSTICE

S.Rynjah

CRL.Petn. No. 44 of 2013

11-2-2014

HON'BLE THE CHIEF JUSTICE

Shri P.N.Nongbri, Advocate, present for the petitioners.

Shri ND Chullai, Sr. Advocate, assisted by Shri S.Sen Gupta, Govt. Advocate, present for the State respondents.

Shri P.Yobin, Advocate, present for the respondent No. 2.

Learned counsel for the petitioners prays for and is allowed to file rejoinder affidavit during the course of the day.

List on 13-2-2014.

CHIEF JUSTICE

S.Rynjah

CRL.Petn. No. 42 of 2013

11-2-2014

HON'BLE THE CHIEF JUSTICE

Shri P.N.Nongbri, Advocate, present for the petitioners.

Shri ND Chullai, Sr. Advocate, assisted by Shri S.Sen Gupta,
Govt. Advocate, present for the State respondents.

Shri P.Yobin, Advocate, present for the respondent No. 2.

Learned counsel for the petitioners prays for and is allowed to file
rejoinder affidavit during the course of the day.

List on 13-2-2014.

CHIEF JUSTICE

S.Rynjah

MC[WP(C)]. No. 3 of 2014

In WP(C) No. 4 of 2014

11-2-2014

HON'BLE THE CHIEF JUSTICE

In view of the order passed in WP(C) No. 4 of 2014, this Misc.
Case stands disposed of.

CHIEF JUSTICE

S.Rynjah

MC[WP(C)]. No. 422 of 2013

In WP(C) No. 392 of 2013

11-2-2014

HON'BLE THE CHIEF JUSTICE

In view of the order passed in WP(C) No. 392 of 2013, this Misc.
Case stands disposed of.

CHIEF JUSTICE

S.Rynjah

W.P.(CRL) No. 13 of 2013

11-2-2014

HON'BLE THE CHIEF JUSTICE

Ms. SG Momin, Advocate, present for the petitioner.

Shri S.Sen Gupta, Govt. Advocate, present for the respondents.

Adjourned at the request of learned counsel for the respondents.

List in the week commencing 24-2-2014.

CHIEF JUSTICE

S.Rynjah

WP(C). No. 4 of 2014

11-2-2014

HON'BLE THE CHIEF JUSTICE

Shri A.Goel, Advocate, present for the petitioner.

Shri KS Kynjing, Sr.Advocate, standing counsel for MeCL.

Shri ND Chullai, Sr. Advocate, present for the State respondents.

Heard.

By means of this writ petition, the petitioner has challenged a cross subsidy bill dated 19-11-2013 based on the increase of tariff made by respondent No. 2, Meghalaya State Electricity Regulatory Commission.

Learned counsel for the respondents raised preliminary objection to the writ petition and pointed out that the impugned order is appealable under Section 111 of the Electricity Act, 2003 before the Electricity Appellate Tribunal.

In view of the above, learned counsel for the petitioner prays for and is allowed to withdraw the writ petition with liberty to seek remedy available to the petitioner under law.

In the above circumstances, the writ petition is dismissed as withdrawn with liberty as above to approach the Appellate Tribunal. For a week from today, the petitioner shall be allowed to purchase power through open access.

CHIEF JUSTICE

S.Rynjah

WP(C). No. 28 of 2014

11-2-2014

HON'BLE THE CHIEF JUSTICE

Shri S.Dey, Advocate, present for the petitioner.

Shri H.Kharmih, Govt. Advocate, present for the respondents No. 1, 2 and 3.

Learned counsel for the respondents No. 1, 2 and 3 prays for and is allowed 4(four) weeks' time to file the counter affidavit and to produce the record.

Issue notice to respondent No. 4 (Shri Abdul Jobbar), respondent No. 5 (Shri Joynal Abdin), respondent No. 6 (Shri Faruk Hussain Mondal) and respondent No.7 (Smti Solema Bibi) who may also file their counter affidavits within a period of 4(four) weeks.

List after 4(four) weeks.

CHIEF JUSTICE

S.Rynjah

WP(C). No. 191 of 2013

11-2-2014

HON'BLE THE CHIEF JUSTICE

Ms. SG Momin, Advocate, present for the petitioners.

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

Mr. HL Shangreiso, Advocate, present for respondent No. 4.

Learned counsel for the respondents pray for and are allowed further 3(three) weeks' time to file the counter affidavits.

List on 7-3-2014 for admission/hearing.

CHIEF JUSTICE

S.Rynjah

WP(C). No. 268 of 2013

11-2-2014

HON'BLE THE CHIEF JUSTICE

Shri HL Shangreiso, Advocate, present for the petitioners.

Shri H.Kharmih, Govt. Advocate, present for the respondents No. 1 to 4.

Counter affidavit has been filed on behalf of respondents No. 1 to 4.

Learned counsel for the petitioners prays for and is allowed 3(three) weeks' time to file the rejoinder affidavit.

List after 3(three) weeks.

CHIEF JUSTICE

S.Rynjah

WP(C). No. 269 of 2013

11-2-2014

HON'BLE THE CHIEF JUSTICE

Shri HL Shangreiso, Advocate, present for the petitioner.

Shri H. Kharmih, Govt. Advocate, present for the respondents No. 1 to 3.

Counter affidavit has been filed on behalf of respondents No. 1 to 3.

Learned counsel for the petitioner prays for and is allowed 3(three) weeks' time to file the rejoinder affidavit.

List after 3(three) weeks.

CHIEF JUSTICE

S.Rynjah

WP(C). No. 270 of 2013

11-2-2014

HON'BLE THE CHIEF JUSTICE

Shri HL Shangreiso, Advocate, present for the petitioners.

Shri H. Kharmih, Govt. Advocate, present for the respondents No. 1 to 3.

Counter affidavit has been filed on behalf of respondents No. 1 to 3.

Learned counsel for the petitioners prays for and is allowed 3(three) weeks' time to file the rejoinder affidavit.

List after 3(three) weeks.

Petitioner is directed to take steps within a period of 2 days for service of notice on respondent No. 4 and 5. The Registry shall issue notice to respondent No. 4 (Shri Tito Sangma) and respondent No. 5 (Shri Prewind Momin), who may also file the counter affidavit within a period of 3(three) weeks.

CHIEF JUSTICE

S.Rynjah

WP(C). No. 288 of 2013

11-2-2014

HON'BLE THE CHIEF JUSTICE

Shri J.Lalsangliana, Advocate, present for the petitioners.

Shri S.Sen Gupta, Govt. Advocate, present for the respondents No. 1 to 7.

Shri HL Shangreiso, Advocate, present for the respondents No. 8 to 23.

Counter affidavit has been filed on behalf of respondents No. 8 to 23. Same be taken on record.

Learned counsel for the petitioners prays for and is allowed 3(three) weeks' time to file the rejoinder affidavit to the counter affidavit filed on behalf of respondents No. 8 to 23.

List after 3(three) weeks.

Meanwhile, respondents No. 1 to 7 are allowed to file their counter affidavit in the matter.

CHIEF JUSTICE

S.Rynjah

WP(C). No. 361 of 2013

11-2-2014

HON'BLE THE CHIEF JUSTICE

Mrs. S. Bhattacharjee, Advocate, present for the petitioner.

Shri S.Sen Gupta, Govt. Advocate, present for the respondents
No. 1 to 6.

Ms. R. Colney, Advocate, present for the respondent No. 7.

Counter affidavit has been filed on behalf of respondent No. 7.
Same be taken on record.

Learned counsel for the petitioner prays for and is allowed
3(three) weeks' time to file the rejoinder affidavit.

List after 3(three) weeks.

Meanwhile, respondents No. 1 to 6 are allowed to file their counter
affidavit.

CHIEF JUSTICE

S.Rynjah

WP(C). No. 392 of 2013

11-2-2014

HON'BLE THE CHIEF JUSTICE

Shri K.Paul, Advocate, present for the petitioners.

Shri KS Kynjing, Sr.Advocate, standing counsel for MeCL.

Shri ND Chullai, Sr. Advocate, present for the State respondents.

Heard.

By means of this writ petition, the petitioners have challenged the impugned order dated 12-11-2013 passed by the respondent No.2, Meghalaya State Electricity Regulatory Commission whereby the tariff of electricity has been increased. The petitioners have further challenged the demand notice dated 11-12-2013 on the basis of increase in the rate of tariff.

Learned counsel for the respondents raised preliminary objection as to the maintainability of the writ petition on the ground that the impugned orders are appealable under Section 111 of the Electricity Act, 2003, before the Electricity Appellate Tribunal.

In view of the alternative remedy, learned counsel for the petitioners prays for and is allowed to withdraw the writ petition with liberty to seek remedy available to the petitioners under the law.

Accordingly, this writ petition is dismissed as withdrawn with liberty to approach the Appellate Tribunal. Meanwhile, for a week from today, the petitioners shall be allowed to purchase power through open access.

CHIEF JUSTICE

S.Rynjah

WP(C) 393/2013

HON'BLE THE CHIEF JUSTICE

11.02.2014

Shri. S.G.Momin, Advocate, present for the petitioner.

Shri. S.Sen Gupta, Govt. Advocate, present for the respondents.

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

List after 2 (two) weeks.

CHIEF JUSTICE

Sylvana

MC (WPC) 423/2013

HON'BLE THE CHIEF JUSTICE

11.02.2014

Shri. S.G.Momin, Advocate, present for the applicant.
Shri. S.Sen Gupta, Govt. Advocate, present for the
respondents.

List along with WP (C) No. 393/2013.

CHIEF JUSTICE

Sylvana