

WP(Crl)No.15 of 2013

13.03.2014

HON'BLE THE CHIEF JUSTICE

Shri H Abraham, Advocate, present for the petitioner.

Shri KP Bhattacharjee, Advocate, present for respondent No. 4.

Learned counsel for respondent No. 4 prays for and is allowed further 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
13.03.14

MC[WP(C)] No. 56 of 2014

in WP(C) No. 71 of 2014

13.3.2014

HON'BLE THE CHIEF JUSTICE

Shri. AS Siddiqui, Advocate, present for the applicants.

Shri. ND Chullai, Sr. Govt. Advocate, assisted by Shri. KP Bhattacharjee, Govt. Advocate, present for the respondents.

Heard.

By means of this application, the writ petitioners have sought interim order staying operation of the termination orders issued by the respondent authorities.

It appears that in pursuance to the order dated 16-08-2012 passed by the Division Bench of Gauhati High Court in WA No. 52(SH) 2011, a High Level Scrutiny Committee was constituted to enquire into the alleged malpractices in the recruitment process in which the writ petitioners were selected.

Learned counsel for the respondents submitted that in pursuance to the findings of said Committee show cause notices were issued to the writ petitioners and only thereafter their services were terminated.

In the above facts and circumstances, this Court is not inclined to grant any interim stay prayed by the writ petitioners.

Therefore, this application for interim stay is rejected. Misc. Case No. 56 of 2014 stands disposed of.

**(Prafulla C.Pant)
CHIEF JUSTICE**

S.Rynjah

WP(C) No. 67 of 2014

13.3.2014

HON'BLE THE CHIEF JUSTICE

Shri. AS Siddiqui, Advocate, present for the petitioners.

Shri. ND Chullai, Sr. Govt. Advocate, assisted by Shri. KP Bhattacharjee, Govt. Advocate, present for the respondents.

Learned counsel for the respondents prays for and is allowed 4(four) weeks' time to file counter affidavit.

List after 4(four) weeks along with WP(C) No. 62 of 2014 and other connected matters.

CHIEF JUSTICE

S.Rynjah

ARB.P. No. 1 of 2013

13.3.2014

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of Shri JM Thangkhiew, Advocate, present for the respondent No.1. No more adjournment shall be allowed.

List on 3-4-2014 for hearing.

CHIEF JUSTICE

S.Rynjah

BA. No. 6 of 2014

13.3.2014

HON'BLE THE CHIEF JUSTICE

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

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

Heard.

By means of this bail application, the applicant has sought release of accused, Usman Gani, who is in jail in connection with P.S. Case No. 151(9) 2013 under Section 22(b)/ 23(b)/ 29/ 8(c) of Narcotics Drugs and Psychotropic Substances Act, 1985, on bail.

Learned counsel for the applicant submitted that the accused, Usman Gani, is the driver of the vehicle in which bottles of Fencydyl and strips of Sposmo Proxyvon were being carried without license. It is further submitted that the consignment caught is not above the commercial limit. It is also pointed out that the applicant has no criminal history. It is pleaded that the applicant is innocent. It is further argued that it is not clear as to which of the 3(three) accused were actually taking the consignment.

In the above circumstances, without expressing any opinion as to the final merits of the case, this court is of the view that the accused, Usman Gani, deserves bail.

Accordingly, bail application is allowed. Let accused, Usman Gani, be released on bail on executing a personal bond and furnishing two sureties each of the like amount to the satisfaction of the Special Court (NDPS) Act, Nongpoh, Ri-Bhoi.

(Prafulla C.Pant)
CHIEF JUSTICE
13th March, 2014

S.Rynjah

Caveat Petn. No. 147 of 2013

In WP(C) No. 310 of 2013

13.3.2014

HON'BLE THE CHIEF JUSTICE

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

Shri H. Kharmih, Govt. Advocate, present for the respondents.

Since the notice was sent by registered post to the caveator on 22-8-2013, as such, this caveat petition No. 147 of 2013 stands disposed of.

CHIEF JUSTICE

S.Rynjah

MC[WP(C)] No. 51 of 2014

in WP(C) No. 66 of 2014

13.3.2014

HON'BLE THE CHIEF JUSTICE

Shri. AS Siddiqui, Advocate, present for the applicants.

Shri. ND Chullai, Sr. Govt. Advocate, assisted by Shri. KP Bhattacharjee, Govt. Advocate, present for the respondents.

Heard.

By means of this application, the writ petitioners have sought interim order staying operation of the termination orders issued by the respondent authorities.

It appears that in pursuance to the order dated 16-08-2012 passed by the Division Bench of Gauhati High Court in WA No. 52(SH) 2011, a High Level Scrutiny Committee was constituted to enquire into the alleged malpractices in the recruitment process in which the writ petitioners were selected.

Learned counsel for the respondents submitted that in pursuance to the findings of said Committee show cause notices were issued to the writ petitioners and only thereafter their services were terminated.

In the above facts and circumstances, this Court is not inclined to grant any interim stay prayed by the writ petitioners.

Therefore, this application for interim stay is rejected. Misc. Case No. 51 of 2014 stands disposed of.

(Prafulla C.Pant)
CHIEF JUSTICE

S.Rynjah

MC[WP(C)] No. 52 of 2014

in WP(C) No. 67 of 2014

13.3.2014

HON'BLE THE CHIEF JUSTICE

Shri. AS Siddiqui, Advocate, present for the applicants.

Shri. ND Chullai, Sr. Govt. Advocate, assisted by Shri. KP Bhattacharjee, Govt. Advocate, present for the respondents.

Heard.

By means of this application, the writ petitioners have sought interim order staying operation of the termination orders issued by the respondent authorities.

It appears that in pursuance to the order dated 16-08-2012 passed by the Division Bench of Gauhati High Court in WA No. 52(SH) 2011, a High Level Scrutiny Committee was constituted to enquire into the alleged malpractices in the recruitment process in which the writ petitioners were selected.

Learned counsel for the respondents submitted that in pursuance to the findings of said Committee show cause notices were issued to the writ petitioners and only thereafter their services were terminated.

In the above facts and circumstances, this Court is not inclined to grant any interim stay prayed by the writ petitioners.

Therefore, this application for interim stay is rejected. Misc. Case No. 52 of 2014 stands disposed of.

**(Prafulla C.Pant)
CHIEF JUSTICE**

S.Rynjah

MC[WP(C)] No. 53 of 2014

in WP(C) No. 68 of 2014

13.3.2014

HON'BLE THE CHIEF JUSTICE

Shri. AS Siddiqui, Advocate, present for the applicants.

Shri. ND Chullai, Sr. Govt. Advocate, assisted by Shri. KP Bhattacharjee, Govt. Advocate, present for the respondents.

Heard.

By means of this application, the writ petitioners have sought interim order staying operation of the termination orders issued by the respondent authorities.

It appears that in pursuance to the order dated 16-08-2012 passed by the Division Bench of Gauhati High Court in WA No. 52(SH) 2011, a High Level Scrutiny Committee was constituted to enquire into the alleged malpractices in the recruitment process in which the writ petitioners were selected.

Learned counsel for the respondents submitted that in pursuance to the findings of said Committee show cause notices were issued to the writ petitioners and only thereafter their services were terminated.

In the above facts and circumstances, this Court is not inclined to grant any interim stay prayed by the writ petitioners.

Therefore, this application for interim stay is rejected. Misc. Case No. 53 of 2014 stands disposed of.

**(Prafulla C.Pant)
CHIEF JUSTICE**

S.Rynjah

MC[WP(C)] No. 54 of 2014

in WP(C) No. 69 of 2014

13.3.2014

HON'BLE THE CHIEF JUSTICE

Shri. AS Siddiqui, Advocate, present for the applicants.

Shri. ND Chullai, Sr. Govt. Advocate, assisted by Shri. KP Bhattacharjee, Govt. Advocate, present for the respondents.

Heard.

By means of this application, the writ petitioners have sought interim order staying operation of the termination orders issued by the respondent authorities.

It appears that in pursuance to the order dated 16-08-2012 passed by the Division Bench of Gauhati High Court in WA No. 52(SH) 2011, a High Level Scrutiny Committee was constituted to enquire into the alleged malpractices in the recruitment process in which the writ petitioners were selected.

Learned counsel for the respondents submitted that in pursuance to the findings of said Committee show cause notices were issued to the writ petitioners and only thereafter their services were terminated.

In the above facts and circumstances, this Court is not inclined to grant any interim stay prayed by the writ petitioners.

Therefore, this application for interim stay is rejected. Misc. Case No. 54 of 2014 stands disposed of.

(Prafulla C.Pant)
CHIEF JUSTICE

S.Rynjah

MC[WP(C)] No. 55 of 2014

in WP(C) No. 70 of 2014

13.3.2014

HON'BLE THE CHIEF JUSTICE

Shri. AS Siddiqui, Advocate, present for the applicants.

Shri. ND Chullai, Sr. Govt. Advocate, assisted by Shri. KP Bhattacharjee, Govt. Advocate, present for the respondents.

Heard.

By means of this application, the writ petitioners have sought interim order staying operation of the termination orders issued by the respondent authorities.

It appears that in pursuance to the order dated 16-08-2012 passed by the Division Bench of Gauhati High Court in WA No. 52(SH) 2011, a High Level Scrutiny Committee was constituted to enquire into the alleged malpractices in the recruitment process in which the writ petitioners were selected.

Learned counsel for the respondents submitted that in pursuance to the findings of said Committee show cause notices were issued to the writ petitioners and only thereafter their services were terminated.

In the above facts and circumstances, this Court is not inclined to grant any interim stay prayed by the writ petitioners.

Therefore, this application for interim stay is rejected. Misc. Case No. 55 of 2014 stands disposed of.

**(Prafulla C.Pant)
CHIEF JUSTICE**

S.Rynjah

WP(C) No. 66 of 2014

13.3.2014

HON'BLE THE CHIEF JUSTICE

Shri. AS Siddiqui, Advocate, present for the petitioners.

Shri. ND Chullai, Sr. Govt. Advocate, assisted by Shri. KP Bhattacharjee, Govt. Advocate, present for the respondents.

Learned counsel for the respondents prays for and is allowed 4(four) weeks' time to file counter affidavit.

List after 4(four) weeks along with WP(C) No. 62 of 2014 and other connected matters.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 362 of 2012

13.3.2014

HON'BLE THE CHIEF JUSTICE

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

Shri H. Kharmih, Govt. Advocate, present for the respondents.

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

List after 3(three) weeks.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 68 of 2014

13.3.2014

HON'BLE THE CHIEF JUSTICE

Shri. AS Siddiqui, Advocate, present for the petitioners.

Shri. ND Chullai, Sr. Govt. Advocate, assisted by Shri. KP Bhattacharjee, Govt. Advocate, present for the respondents.

Learned counsel for the respondents prays for and is allowed 4(four) weeks' time to file counter affidavit.

List after 4(four) weeks along with WP(C) No. 62 of 2014 and other connected matters.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 69 of 2014

13.3.2014

HON'BLE THE CHIEF JUSTICE

Shri. AS Siddiqui, Advocate, present for the petitioners.

Shri. ND Chullai, Sr. Govt. Advocate, assisted by Shri. KP Bhattacharjee, Govt. Advocate, present for the respondents.

Learned counsel for the respondents prays for and is allowed 4(four) weeks' time to file counter affidavit.

List after 4(four) weeks along with WP(C) No. 62 of 2014 and other connected matters.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 70 of 2014

13.3.2014

HON'BLE THE CHIEF JUSTICE

Shri. AS Siddiqui, Advocate, present for the petitioners.

Shri. ND Chullai, Sr. Govt. Advocate, assisted by Shri. KP Bhattacharjee, Govt. Advocate, present for the respondents.

Learned counsel for the respondents prays for and is allowed 4(four) weeks' time to file counter affidavit.

List after 4(four) weeks along with WP(C) No. 62 of 2014 and other connected matters.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 71 of 2014

13.3.2014

HON'BLE THE CHIEF JUSTICE

Shri. AS Siddiqui, Advocate, present for the petitioners.

Shri. ND Chullai, Sr. Govt. Advocate, assisted by Shri. KP Bhattacharjee, Govt. Advocate, present for the respondents.

Learned counsel for the respondents prays for and is allowed 4(four) weeks' time to file counter affidavit.

List after 4(four) weeks along with WP(C) No. 62 of 2014 and other connected matters.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 236 of 2013

13.3.2014

HON'BLE THE CHIEF JUSTICE

Shri R. Sahu, Advocate, present for the petitioners.

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

Learned counsel for the respondents No. 1 to 3 prays for and is allowed further 2(two) weeks' time to file the counter affidavit.

List after 2(two) weeks.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 310 of 2013

13.3.2014

HON'BLE THE CHIEF JUSTICE

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

Shri H. Kharmih, Govt. Advocate, present for the respondents.

Affidavit-in-opposition has been filed on behalf of respondents No. 1 to 3. Same be taken on record.

Service on respondents No. 4 and 5 is treated sufficient. No counter affidavit has been filed on their behalf.

Learned counsel for the petitioner prays for and is allowed 3(three) weeks' time to file the rejoinder affidavit to the affidavit-in-opposition filed on behalf of respondents No. 1 to 3.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 337 of 2013

13.3.2014

HON'BLE THE CHIEF JUSTICE

Shri R. Pyngrope, Advocate, present for the petitioners.

Smti Das, Advocate, present for the respondents No. 2 to 5.

Learned counsel for the respondents No. 2 to 5 prays for and is allowed further 3(three) weeks' time to file the counter affidavit.

List after 3(three) weeks.

CHIEF JUSTICE

S.Rynjah