

Misc.Case No. 353 of 2013

13.11.2013

HON'BLE THE CHIEF JUSTICE

Shri A.S.Siddiqui, Advocate present for the petitioner.

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

Heard.

By means of this application (Misc.Case No. 353 of 2013), the writ petitioner has sought impleadment of Regional Provident Fund Commissioner and Assistant Provident Fund Commissioner (Pension), NER Sub Regional Officer, Laitumkhrah, Shillong as respondents No. 4 and 5.

In view of the averments made in the counter affidavit filed on behalf of respondents No. 1 and 2, it appears that the above mentioned parties is required to be impleaded as respondents No. 4 and 5.

Accordingly, the application Misc.Case No. 353 of 2013 is allowed. The petitioner is allowed to implead the above mentioned parties as respondents No. 4 and 5 in the WP(C) No. 212 of 2013.

CHIEF JUSTICE

S.Rynjah

MC[WP(C)] No. 351 of 2013

13.11.2013

HON'BLE THE CHIEF JUSTICE

Shri S.Jindal, Advocate present for the petitioner.

Mrs. S.Bhattacharjee, Govt. Advocate present for the respondents.

By means of this application, correction has been sought in the order dated 7-11-2013 passed by Hon'ble Mr. Justice S.R.Sen in WP(C) No. 55 of 2013.

List before the appropriate bench.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 94 of 2013

13.11.2013

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of Shri S.Jindal, Advocate present for the petitioner.

List this case on 10-12-2013.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 103 of 2013

13.11.2013

HON'BLE THE CHIEF JUSTICE

None present for the petitioner.

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

Heard learned counsel for the respondents.

By means of this writ petition, the petitioner has sought writ in the nature of mandamus quashing the order DIMT/PE/MC-9/93/10353-58, dated 6-3-2006 whereby the petitioner has been placed under suspension and reinstatement has been sought.

Respondent No. 3 has filed affidavit-in-opposition and stated that due to petitioner's unauthorized absence from duty and negligence on his part in performing his duty, he was placed under suspension.

Learned counsel for the respondent stated that in compliance to this Court's order dated 23-10-2013, the subsistence allowance has already been paid to the petitioner.

Having heard learned counsel for the respondents and after going through the petition and the papers on record, this writ petition is disposed of with the direction that departmental inquiry, if any, pending against the petitioner shall be concluded as expeditiously as possible latest within a period of 6(six) months as the petitioner is under suspension for more than 6(six) years.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 168 of 2013

13.11.2013

HON'BLE THE CHIEF JUSTICE

Shri E.Nongbri, Advocate holding brief for Shri R.Jha, Advocate present for the petitioners.

Shri N.Khan, Advocate present for the respondents.

Learned counsel for the petitioners states that rejoinder affidavit is being filed today in the Registry.

Heard.

By means of this writ petition, the petitioners has sought writ in the nature of mandamus directing the respondents to grant rank and pay of Naib Subedar.

Admit the petition.

Since the affidavits are already exchanged, this writ petition be listed for final hearing in due course.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 212 of 2013

13.11.2013

HON'BLE THE CHIEF JUSTICE

Shri A.S.Siddiqui, Advocate present for the petitioner.

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

In view of the order of the date passed in Misc. Case No. 353 of 2013, the petitioner is required to implead Regional Provident Fund Commissioner and Assistant Provident Fund Commissioner (Pension), NER Sub Regional Officer, Laitumkhrah, Shillong. It is directed that after the impleadment, the petitioner shall take steps within 5(five) days from today for service of notice on the newly impleaded parties who may file their counter affidavit within a period of 3(three) weeks thereafter.

List this case again on 10-12-2013.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 222 of 2013

13.11.2013

HON'BLE THE CHIEF JUSTICE

Smti. A.Patricia, Advocate holding brief of Shri A.H.Hazarika, Advocate present for the petitioner.

Shri K.P.Bhattacharjee, Govt. Advocate present for the respondents.

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

List this case after 3(three) weeks.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 242 of 2013

13.11.2013

HON'BLE THE CHIEF JUSTICE

Shri R.Mazumdar, Advocate present for the petitioners.

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

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

List this case after 3(three) weeks.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 276 of 2013

13.11.2013

HON'BLE THE CHIEF JUSTICE

Shri E.Nongbri, Advocate present for the petitioner.

Shri K.P.Bhattacharjee, Govt. Advocate present for the respondents No. 1 to 3.

Shri R.Deb Nath, CGC present for respondent No.4.

Learned counsel for the respondent No.4 prays for and is allowed further 4(four) weeks' time to file counter affidavit.

List this case after 4(four) weeks.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 321 of 2013

13.11.2013

HON'BLE THE CHIEF JUSTICE

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

Shri N.D.Chullai, Sr. Govt. Advocate present for the respondents.

Heard.

By means of this writ petition, the petitioner has sought writ in the nature of mandamus directing the respondent No. 2 (Director of School Education & Literacy, Meghalaya, Shillong) to issue formal approval on the office letter No. SDSEO/PR-3/2013/575, dated Dadenggre, 20th August 2013 sent by Sub-Divisional, School Education Officer, Dadenggre, West Garo Hills District.

Brief facts of the case are that the petitioner was a leave vacancy teacher in J.B.L.P. School, Halidayganj in 2005 and 2006. His father, Shri Abdul Quddus Mondal was Head Teacher in said school. Shri Abdul Quddus Mondal died in harness on 13th August, 2013 on which the petitioner appears to have made a representation dated 20th August, 2013 for his appointment in J.B.L.P.School, Halidayganj. From annexure VI to the writ petition, it appears that said representation/ application has been forwarded by Sub-Divisional School Education Officer, Dadenggre (respondent No. 3) to respondent No.2 for consideration and approval.

Learned counsel for the petitioner confined his prayer only to the extent that respondent No.2 may take a decision on the application dated 20th August, 2013 and forwarding letter of said date of Sub-Divisional School Education Officer, Dadanggre.

Having considered the submissions of the learned counsel for the parties, this writ petition is summarily disposed of with the direction that respondent No.2 (Director of School Education & Literacy, Meghalaya, Shillong) may take a decision within a period of 2(two) months from the date of certified copy of this order is produced before such authority, on the letter dated 20th August, 2013 sent to him by Sub-Divisional School Education Officer, Dadanggre.

CHIEF JUSTICE

S.Rynjah