

WP(C) No. 311 of 2013

14.3.2014

HON'BLE THE CHIEF JUSTICE

Shri. AH Hazarika, Advocate, present for the petitioner.

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

Affidavit-in-opposition has been filed on behalf of the respondents. Same be taken on record.

Learned counsel for the petitioner prays for and is allowed 2(two) weeks' time to file the rejoinder affidavit to the counter affidavit filed on behalf of the respondents.

List after 2(two) weeks.

CHIEF JUSTICE

S.Rynjah

CRL.REV.P. No. 3 of 2014

14.3.2014

HON'BLE THE CHIEF JUSTICE

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

Heard.

This revision is directed against judgment and order dated 15-1-2014 passed by learned Sessions Judge, Shillong in CRL.Revision No. 6(H) 2013 whereby said Court has affirmed the order of enhancement of interim maintenance, but directed that enhanced amount of ₹ 6500/- (Rupees six thousand, five hundred) only per month shall be payable with effect from the date of the order of the Trial Court i.e. 28-6-2013.

Admittedly, the proceedings under Section 125 CrPC initiated by the present revisionist, Sweety Agarwal are still pending before the Judicial Magistrate First Class, Shillong, in which amount of interim maintenance was enhanced. The present revisionist has challenged the order of the revisional court as enhanced sum has been directed to be paid from the order of the date.

Having gone through the impugned order passed by the learned Sessions Judge, Shillong and considering the submissions of learned counsel for the revisionist, this Court finds no scope of interference with the impugned order passed by the learned Sessions Judge, Shillong.

Therefore, this revision is summarily dismissed with the observation that the trial court may decide the proceedings under Section 125 CrPC, between the parties, as expeditiously as possible.

(Prafulla C.Pant)
CHIEF JUSTICE

S.Rynjah

MC(CRL.REV.P) No. 2 of 2014

In CRL.REV.P. No. 3 of 2014

14.3.2014

HON'BLE THE CHIEF JUSTICE

In view of the order of the date passed in CRL.REV.P. No. 3 of 2014, this Misc. Case also stands dismissed.

CHIEF JUSTICE

S.Rynjah

MC[WP(C)] No. 57 of 2014

in WP(C) No. 72 of 2014

14.3.2014

HON'BLE THE CHIEF JUSTICE

Shri. HL Shangreiso, 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. 57 of 2014 stands disposed of.

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

S.Rynjah

MC[WP(C)] No. 58 of 2014

in WP(C) No. 73 of 2014

14.3.2014

HON'BLE THE CHIEF JUSTICE

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

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 petitioner has sought interim order staying operation of the termination order 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 petitioner and only thereafter her services were terminated.

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

Therefore, this application for interim stay is rejected. Misc. Case No. 58 of 2014 stands disposed of.

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

S.Rynjah

WP(C) No. 72 of 2014

14.3.2014

HON'BLE THE CHIEF JUSTICE

Shri. HL Shangreiso, 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. 73 of 2014

14.3.2014

HON'BLE THE CHIEF JUSTICE

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

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. 160 of 2013

14.3.2014

HON'BLE THE CHIEF JUSTICE

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

Shri. A.Khan, Advocate, present for the respondents No. 1 to 3.

Shri. S.Khan, Advocate, present for the respondent No.5.

Affidavit-in-opposition has been filed on behalf of respondent No.4. Same be taken on record.

Learned counsel for the petitioner prays for and is allowed one weeks' time to file the rejoinder affidavit to the counter affidavit filed on behalf of respondent No.4.

List after one week.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 180 of 2013

14.3.2014

HON'BLE THE CHIEF JUSTICE

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

Shri. S.Dey, Advocate, present for the respondents No. 1 to 4.

Respondent No.5 is treated sufficiently served. No one has turned up on his behalf.

Learned counsel for the respondents No. 1 to 4 prays for and is allowed further 3(three) weeks' time to file counter affidavit.

List after 3(three) weeks.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 276 of 2013

14.3.2014

HON'BLE THE CHIEF JUSTICE

None present for the petitioner even in the revised call.

Mrs. NG Shylla, Govt. Advocate, present for the respondents No. 1 to 3.

The writ petition is dismissed for non-prosecution.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 380 of 2013

14.3.2014

HON'BLE THE CHIEF JUSTICE

Shri JM Thangkhiew, Advocate, present for the petitioner.

Shri KP Bhattacharjee, Govt. Advocate, present for the respondents.

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

List after 4(four) weeks.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 325 of 2013

14.3.2014

HON'BLE THE CHIEF JUSTICE

Shri. SP Mahanta, Advocate, present for the petitioners.

Shri. S Sen Gupta, Govt. Advocate, present for the respondents No. 1 to 4.

Shri B.Khyriem, Advocate, present for the respondents No. 5 and 6.

Affidavit-in-opposition has been filed on behalf of the respondent No. 4. Same be taken on record. Respondents No. 5 and 6 has also filed their counter affidavits. Same be also 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 affidavits filed on behalf of respondent No. 4 and respondents No. 5 and 6.

List after 3(three) weeks. Meanwhile, other respondents are also allowed to file their counter affidavits.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 327 of 2013

14.3.2014

HON'BLE THE CHIEF JUSTICE

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

Mrs. NG Shylla, Govt. Advocate, present for the respondents.

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

List after 4(four) weeks.

Interim order dated 18-11-2013 is extended till the next date of listing.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 328 of 2013

14.3.2014

HON'BLE THE CHIEF JUSTICE

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

Mrs. NG Shylla, Govt. Advocate, present for the respondents.

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

List after 4(four) weeks.

Interim order dated 18-11-2013 is extended till the next date of listing.

CHIEF JUSTICE

S.Rynjah

WP(C) No. 376 of 2013

14.3.2014

HON'BLE THE CHIEF JUSTICE

Shri S.Chakravarty, Advocate, present for the petitioners.

Shri P.N.Nongbri, Advocate, present for the respondent No.6.

Affidavit-in-opposition has been filed on behalf of respondent No.4. Same be taken on record.

Learned counsel for the petitioners prays for and is allowed 4(four) weeks' time to file the rejoinder affidavit to the counter affidavit filed on behalf of respondent No.4.

List after 4(four) weeks. Learned counsel for the respondent No. 6 is meanwhile allowed to file counter affidavit on behalf of said party.

Interim order dated 17-12-2013 is extended till the next date of listing.

CHIEF JUSTICE

S.Rynjah