

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
BA(SH) No. 106 of 2013

14.08.2013

Heard Mr. AH Hazarika, the learned counsel for the petitioner who submits that, the accused person is in custody for 43 days and the investigation is almost completed, so his further custody may not be necessary and he may be allowed to go on bail. The learned counsel further contended that, bail application was moved before this Court and the same was rejected on the ground that it was pre-matured. Thereafter bail application was again moved on 25.07.13 before the learned ADC, Shillong and was also rejected on the ground that investigation is yet to be completed. Hence this instant bail application before this Court.

CD is produced before this Court.

Mr. ND Chullai, the learned senior counsel appeared on behalf of the state submits that, after going through the CD and in consultation with IO, it appears that investigation has already completed and the IO informed him that further custody of the accused is not necessary.

Since prosecution has no objection, the accused person is allowed to go on bail for a sum of Rs. 30,000/- with one surety of the like amount subject to the satisfaction of the learned ADC, Shillong on the following conditions.

- i) The accused shall cooperate with the IO as and when necessary.
- ii) The accused shall not interfere with the investigation or tamper any evidence.
- iii) The accused is bound to face trial as and when necessary and he shall not intimidate or threat the prosecution witnesses.

With these observations and directions, the instant bail application is allowed and the matter stands disposed of.

Registry is directed to return the CD to the learned senior counsel immediately.

JUDGE

V. Lyndem.

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
Crl. Petn. (SH) No. 53 of 2013

14.08.2013

Heard Mr. S Syngkon, the learned counsel for the petitioner as well as Mr. K Khan, the learned senior Addl. PP.

Mr. Thomas Diengdoh, the learned Judge, Special Court/Fast Track Court, Nongstoin is also present and submits that, due to some confusion he could not pass necessary order to release the accused person but he has given an assurance before this Court that he will comply with the judgment & order dated 11.07.13 passed by this Court immediately.

The petitioner's counsel is also directed to move a petition before the learned Court below as referred to above with bail bond etc.

Accordingly, with the above order the matter stands disposed of.

JUDGE

V. Lyndem.

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
WP(C)(SH)No. 144 of 2011

14.08.2013

Heard Mr. BK Das, the learned counsel for the petitioner who submits that, in spite of the order dated 25.02.09 passed by this Court, the Government could not come to any conclusion about the pensionary benefits of the Deficit Primary School Teachers. Hence, this instant petition.

The learned counsel further contended that, if the pensionary benefit is not possible, the Deficit Primary School Teachers are ready to accept the scheme called CPF with equal contribution of the employees and employer. In this regard they have made a representation to the Government dated 16.12.10 but till date there is no outcome from the said representation, so necessary order may be passes as deem fit and proper.

Mr. ND Chullai, the learned senior counsel submits that, actually the Managing Committee is not interested to make any contribution; as a result, the Government also could not take any concrete decision till date.

After hearing the submissions advanced by the learned counsel for the parties, I am of the considered view that, some kind of social security must be provided to the Deficit Primary School Teachers. We must not forget that, teachers are the backbone of the society, so their case should always be considered on a priority basis. Therefore, the Government respondent is directed to take the matter on priority basis and to make a provision for CPF and gratuity for the Deficit Primary School Teachers within 3(three) months from the date of this order.

The Government should not accept any kind of pressure from the Managing Committee.

Registry is also directed to furnish a copy of this order to the learned senior counsel who shall in turn communicate the same to the respondent authority for compliance.

With these observations and directions, the petition is allowed and the matter stands disposed of.

JUDGE

V. Lyndem.

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
WP(C)(SH)No. 41 of 2011

14.08.2013

Mr. SP Mahanta, the learned counsel for respondent No. 1, Mr. VGK Kynta, the learned senior counsel for the District Counsel, Mr. HL Shangreiso, the learned counsel for respondent No. 5 and Mr. H. Abraham, the learned counsel for respondent No. 4 are present.

Mr. N Syngkon, the learned counsel who appeared for on behalf of Mr. MZ Ahmed informed that, the senior counsel is not well and could not attend the Court today, so the matter may be listed on 23.09.13 to which the other learned counsel have no objections.

Considering the submissions advance by the learned counsel, the matter is adjourned and fixed on 23.09.13 as prayed for.

JUDGE

V. Lyndem.