

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
BA (SH) No. 68 of 2013

20.06.13

Heard Mr. HL Shangreiso, the learned counsel for the petitioner as well as Mr. ND Chullai, the learned PP.

Let the accused appear before the Learned Chief Judicial Magistrate, Shillong. On his appearance the Learned Chief Judicial Magistrate is directed to consider his bail application in accordance with law.

With this direction, the matter stands disposed of.

Registry is directed to roll back the Lower Court case record along with a copy of this order to the Court concerned.

JUDGE

V. Lyndem.

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
WP(C)(SH) No. 119 of 2013

20.06.13

Heard Mr. S Chakravarty, the learned counsel for the petitioner who submits that vide order dated 23.05.13 in WP(SH) No. 119 of 2013, this Court has made it very clear that, "In the interim, it is provided that the respondents shall not proceed with the demolition of the building until further order. However, it is made clear that pendency of the writ petition will not be a bar to the respondents to issue notice to the petitioner provided under Section 30B of the Act, 1973. It is also further provided that the petitioner shall not make any further development of the building already constructed during pendency of the writ petition."

The learned counsel further contended that in response to the said order passed by this Court, respondents issued notice dated 13.06.13 wherein debarred the petitioner not to open, utilise or let-out portion of the building whatsoever until the writ petition is adjudicated or settled which is beyond the contents of the order dated 23.05.13 passed by this Court.

Mr. Mahanta, the learned counsel for respondents No. 3 & 4 vehemently objected the submissions advanced by the learned counsel for the petitioner and contended that without occupancy certificate, the petitioner cannot utilise/occupy the building.

After hearing the submissions advanced by the learned counsels at bar and after perusal of the order dated 23.05.13 referred above, I find nowhere mentioned in the order that the petitioner can be barred to open or utilise the building during pendency of the writ petition or matter is settled. Therefore, I am of the further view that the clause stating that, "not to open or utilise the building" has no relevancy at this stage, hence, the particular clause is struck off from the notice dated 13.06.13 issued by respondent.

However, the petitioner is directed to strictly comply with the direction given by this Court vide order dated 23.05.13 and to furnish their reply, if they desire to do so

against the notice dated 13.06.13 before the respondent and to submit a representation within 7(seven) days from the date of this order.

List this matter on 18.07.13.

JUDGE

V. Lyndem.

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
MC(SH) No. 201 of 2013 in
WP(C)(SH) No. 119 of 2013

20.06.13

In the light of the order passed in Main Case No. WP(C)(SH) No. 119 of 2013, this instant Misc. Case also stands disposed of.

JUDGE

V. Lyndem.

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
MC(SH) No. 201 of 2013 in
WP(C)(SH) No. 119 of 2013

20.06.13

In the light of the order passed in Main Case No. WP(C)(SH) No. 119 of 2013, this instant Misc. Case also stands disposed of.

JUDGE

V. Lyndem.

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
MC(SH) No. 157 of 2013 in
WP(C)(SH) No. 119 of 2013

20.06.13

As suggested by both the learned counsel for the parties, list this matter on 18.07.13 along with the Main Case.

JUDGE

V. Lyndem.

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
WP(C)(SH) No. 247 of 2009

20.06.13

Heard Mr. BK Debroy, the learned counsel for the petitioner as well as Mr. R Debnath, the learned counsel for the respondent.

The learned counsel for the respondent informed that Mr. R Chudhury, the learned counsel appearing for respondent No. 4 could not appear before the Court due to family bereavement and sought for 4(four) weeks' time.

Prayer is allowed.

List this matter on 18.07.13

JUDGE

V. Lyndem.

BEFORE
HON'BLE MR. JUSTICE S.R. SEN
WP(C)(SH) No. 307 of 2011

20.06.13

Heard Mr. BK Debroy, the learned counsel as well as Mr. HG Baruah, the learned counsel for the petitioner.

Also heard Mr. R Debnath, the learned counsel for the respondent who submits that he is not ready yet with the case today due to some personal difficulties, so the matter may be fixed on 25.06.13.

Prayer is allowed as a last chance.

List this matter accordingly.

JUDGE

V. Lyndem.

