

20.11.2013

**HON'BLE THE CHIEF JUSTICE**

Shri H. Das, Advocate present for the writ petitioners.

Shri S Sen Gupta, Govt. Advocate present for the respondents No. 1, 3 and 5.

Learned counsel for the petitioners states that since petitioner No.1 is already covered in the order dated 25.10.2013 passed in WP(C)No.304/2013, as such this writ petition is not pressed on behalf of petitioner No.1 (**Sri.Pabitra Kr. Rabha**) but the case may be heard in respect of other petitioners.

Heard.

By means of this writ petition under Article 226 of the Constitution of India, the writ petitioners had sought writ in the nature of mandamus commanding the respondents to furnish the documents sought vide Annexure-11 and to allow the writ petitioners to move application for reference under the Land Acquisition Act, 1894.

Brief facts of the case are that the land of the writ petitioners was acquired in the year 2009 for construction of railway line between Dudhnai and Mendipathar. It is admitted by the writ petitioners that they have received compensation awarded by the Land Acquisition Officer. The grievance of the writ petitioners is that they want to move application for reference under Section 18 of the Land Acquisition Act, 1894 but the documents sought by the writ petitioners were not supplied to them.

Learned counsel for the writ petitioners submitted that his prayer maybe treated to be confined only to allow the writ petitioners to move the application for making the reference.

The prayer to the extent as above is innocuous and not opposed by the learned counsel for the respondents.

Therefore, this writ petition is summarily disposed off with the observation that the writ petitioners may move an application before the Deputy Commissioner, Williamnagar, East Garo Hills District in accordance with law, who may make the reference to the authority concerned under Section 18 of the Land Acquisition Act, 1894 after considering the application for condonation of delay if any, made before him. (As to the petitioner No.1 (**Sri.Pabitra Kr. Rabha**), this writ petition stands dismissed as infructuous for the reason that his case is covered vide order dated 25.10.2013 passed in *WP(C)No.304/2013*).

**CHIEF JUSTICE**

***Lam***

20.11.2013

**WP(C)No.237/2013**

**20.11.2013**

**HON'BLE THE CHIEF JUSTICE**

Ms. B Das, Advocate, present for the petitioner.

Shri. S Haque, Advocate, present for the respondents No.1 & 2.

Learned counsel for the respondents No.1 & 2 prays for and is allowed further three weeks' time to file counter affidavit.

List after three weeks.

**CHIEF JUSTICE**

***Lam***

**20.11.2013**

**BA. No. 145 of 2013**

**20.11.2013**

**HON'BLE THE CHIEF JUSTICE**

Shri N.Syngkon, Advocate present for the applicant.

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

The applicant, Shri Dapbokstar Nongkynrih has prayed for bail of his son, Shri Badon Kupar Nongbri who has been arrested in connection with Lumdiengjri P.S. Case No. 95(10)/2012 relating to offences punishable under Sections 302/ 307/ 436/ 427/ 34 IPC. R/W 6(A) MMPO Act.

Heard.

Learned counsel for the applicant submitted that the applicant's son has been falsely implicated in the case only due to suspicion, and only for the reason that he is a member of the Khasi Students Union. Some infirmity in the arrest memo is also pointed out.

However, after perusing the copy of the First Information Report, Case Diary and other papers on record, this Court finds that the nature of offence is not only grave but the offence has been committed in dare devil manner in day light. Petrol is said to have been poured on the victim and he was set on fire in his shop.

In the facts and circumstance of the case, without expressing any opinion as to whether the present applicant's son, Shri Badon Kupar Nongbri has actually any role in commission of the crime or not, this Court is of the view that it is not a fit case for bail at this stage.

Therefore the bail application is rejected.

**CHIEF JUSTICE**

S.Rynjah



**Cont.Cas(C). No. 21 of 2012**

**20.11.2013**

**HON'BLE THE CHIEF JUSTICE**

Shri G.S.Massar, Sr. Advocate, present for the petitioner.

Shri V.G.K. Kynta, Sr. Advocate, present for the respondents.

In view of the interim order dated 27-3-2012 passed in WP(C) No. 68 of 2012 directing the respondent not to pay pension beyond the budgetary allocation, it is directed that this contempt petition be listed after disposal of WP(C) No. 68 of 2012 (by the Division Bench).

**CHIEF JUSTICE**

S.Rynjah

**Cont.Cas(C). No. 37 of 2013**

**20.11.2013**

**HON'BLE THE CHIEF JUSTICE**

Shri R.Kar, Advocate present for the applicant/petitioner.

Shri S.Dey, Advocate present for the respondents.

Learned counsel for the applicant/petitioner prays for and is allowed to withdraw this contempt petition.

This contempt petition is dismissed as withdrawn with liberty to the applicant/petitioner to seek remedy available to him under law.

**CHIEF JUSTICE**

S.Rynjah

**MC[Cont(C)]. No. 139 of 2013**

**20.11.2013**

**HON'BLE THE CHIEF JUSTICE**

Adjourned at the request of Shri S.C.Shyam, Sr. Advocate present for the applicant.

List this case tomorrow (21-11-2013).

**CHIEF JUSTICE**

S.Rynjah



**MC[WP(C)]. No. 373 of 2013**

**20.11.2013**

**HON'BLE THE CHIEF JUSTICE**

Shri S.Wahlang, Advocate present for the applicant.

Shri V.G.K.Kynta, Sr. Advocate present for respondents No. 1 and 2.

Shri H.S.Thangkhiew, Sr. Advocate, present for respondents No.3.

Shri L.Lyngdoh, Advocate for respondent No.4.

Heard.

By means of this application (Misc.Case No. 373 of 2013), the applicant had sought impleadment in WP(C) No. 365 of 2012.

It is stated by the present applicant that he is a village headman of Sandi Shella, i.e. 9(nine) Durbar (Sandi Village) and he should be heard while deciding the right of the petitioner vis-à-vis respondent No. 4 in the writ petition.

Having considered submissions of the learned counsel for the parties and after going through the papers on record, this Court is of the view that the present applicant deserves to be heard as intervener in the aforesaid writ petition.

Therefore, this Misc. Case is disposed of with the direction that the applicant, Shri Tomarlin Yodbon shall be heard as an intervener in WP(C) No. 365 of 2012.

**CHIEF JUSTICE**

S.Rynjah

**WP(C). No. 6 of 2013**

**20.11.2013**

**HON'BLE THE CHIEF JUSTICE**

Ms. M.Mahanta, Advocate holding brief for Mr. S.Chakravarty, Advocate present for the petitioner.

Mr. V.G.K.Kynta, Sr. Advocate present for the respondent No. 1 and 2.

Mr. P.N.Nongbri, Advocate present for the respondents No.3 and 4.

Learned counsel for the respondents No.3 and 4 pray for and are allowed 4(four) weeks' time to file counter affidavit.

List after 4(four) weeks.

Meanwhile, interim order dated 11-1-2013 passed in Misc.Case No. 9 of 2013 is extended till the next date of listing.

**CHIEF JUSTICE**

S.Rynjah

**WP(C). No. 62 of 2013**

**20.11.2013**

**HON'BLE THE CHIEF JUSTICE**

Mr. B.K.Deb Roy, Advocate present for the petitioner.

Ms. S. Acharjee, Advocate present for the respondent No.1.

Mr. A.Khan, Advocate present for the respondents No. 10, 11, 12, 14 and 15.

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

List this case after 4(four) weeks.

**CHIEF JUSTICE**

S.Rynjah

**WP(C). No. 133 of 2013**

**20.11.2013**

**HON'BLE THE CHIEF JUSTICE**

Shri S.Dey, Advocate present for the petitioner.

Shri R.Deb Nath, CGC present for the respondents No. 1 to 4.

Shri P.Nongbri, Advocate present for respondents No. 5 and 6.

A counter affidavit has been filed on behalf of respondent No. 1 to 4.  
Same be taken on record.

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

List after 4(four) weeks.

**CHIEF JUSTICE**

S.Rynjah

**WP(C). No. 218 of 2013**

**20.11.2013**

**HON'BLE THE CHIEF JUSTICE**

Shri B.K.Deb Roy, Advocate present for the petitioners.

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

Heard.

Admit the petition.

Counter affidavit has already been filed on behalf of respondents.  
Same be taken on record.

List for final hearing in due course.

Meanwhile, the petitioners are allowed to file their rejoinder affidavits.

**CHIEF JUSTICE**

S.Rynjah

**WP(C). No. 354 of 2012**

**20.11.2013**

**HON'BLE THE CHIEF JUSTICE**

Mr. H.Kharmih, Advocate present for the petitioners.

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

Ms. Q.B.Lamare, Advocate present for the respondents No. 4 to 7.

Learned counsel for the petitioners prays for and is allowed further 2(two) weeks' time to file rejoinder affidavits to the counter affidavits filed on behalf of respondents No. 1 to 3 and on behalf of respondents No. 4 to 7.

List after two weeks.

**CHIEF JUSTICE**

S.Rynjah

**WP(C). No. 365 of 2012**

**20.11.2013**

**HON'BLE THE CHIEF JUSTICE**

Mr. S.Thapa, Advocate present for the petitioner.

Shri V.G.K.Kynta, Sr. Advocate present for respondents No. 1 and 2.

Shri H.S.Thangkhiew, Sr. Advocate, present for respondents No.3.

Shri L.Lyngdoh, Advocate for respondent No.4.

Learned counsel for respondent No. 4 prays for and is allowed to file supplementary affidavit in respect of some typing error in the counter affidavit filed on behalf of the said party.

List this case after 2(two) weeks.

**CHIEF JUSTICE**

S.Rynjah

LA Appeal No. 1 of 2012

20.11.2013

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE SR SEN

Shri H Kharmih, Advocate, present for the  
appellant.

Shri AH Hazarika, Advocate, present for the  
respondents.

Passed over for the day at the request of learned  
counsel for the respondents.

JUDGE  
(Hon'ble Mr Justice SR Sen)

CHIEF JUSTICE

dev  
20.11.13



MAF No. 9 of 2008

20.11.2013

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE SR SEN

Shri S Sen Gupta, Advocate, present for the  
appellant.

Shri K Sunar, Advocate, present for respondent.

Learned counsel for the appellant prays for and is  
allowed further two weeks' time to prepare paper book.

List this appeal for final hearing on 11.12.2013.

JUDGE  
(Hon'ble Mr Justice SR Sen)

CHIEF JUSTICE

dev  
20.11.13

MC 13 of 2012  
IN WA No. 2 of 2012

20.11.2013

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE SR SEN

List this matter on 27.11.2013 along with WA  
No. 2 of 2012.

JUDGE  
(Hon'ble Mr Justice SR Sen)

CHIEF JUSTICE

dev  
20.11.13

MC No. 152 of 2013  
IN WP(C) No. 118 of 2013

20.11.2013

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE SR SEN

List this matter along with WP(C)No. 152 of 2013  
on 27.11.2013.

JUDGE  
(Hon'ble Mr Justice SR Sen)

CHIEF JUSTICE

dev  
20.11.13

MC 238 of 2012  
IN WA No. 2 of 2012

20.11.2013

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE SR SEN

List this matter on 27.11.2013 along with WA No.  
2 of 2012.

JUDGE  
(Hon'ble Mr Justice SR Sen)

CHIEF JUSTICE

dev  
20.11.13

MC No. 25 of 2013  
IN WP(C) No. 16 of 2013

20.11.2013

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE SR SEN

List this matter after three weeks along with  
WP(C)No. 16 of 2013.

JUDGE  
(Hon'ble Mr Justice SR Sen)

CHIEF JUSTICE

dev  
20.11.13

MC No. 151 of 2013  
IN WP(C) No. 117 of 2013

20.11.2013

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE SR SEN

List this matter on 27.11.2013 along with WP(C)No.  
117 of 2013.

JUDGE  
(Hon'ble Mr Justice SR Sen)

CHIEF JUSTICE

dev  
20.11.13

MC No. 349 of 2012  
IN WP(C) No. 246 of 2012

20.11.2013

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE SR SEN

List this matter along with WP(C)No. 246 of 2012  
on 27.11.2013.

JUDGE  
(Hon'ble Mr Justice SR Sen)

CHIEF JUSTICE

dev  
20.11.13

MC No. 507 of 12  
IN WP(C) No. 356 of 2012

20.11.2013

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE SR SEN

List this matter along with WP(C)No. 356 of 2012  
after two weeks.

JUDGE  
(Hon'ble Mr Justice SR Sen)

CHIEF JUSTICE

dev  
20.11.13



PIL No. 4 of 2013

20.11.2013

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE SR SEN

Shri GS Massar, Sr. Advocate, present for the petitioners.

Shri ND Chullai, Sr. GA, present for respondents No. 1 to 3.

Shri N Mozika, Advocate, present for respondent No. 4.

Shri HS Thangkhiew, Sr. Advocate, present respondents No. 5 and 6.

Affidavit-in-opposition has been filed on behalf of respondents No. 5 and 6. Same be taken on record.

Learned counsel for the petitioners prays for and is allowed two weeks' time to file rejoinder affidavit.

List after two weeks.

JUDGE  
(Hon'ble Mr Justice SR Sen)

CHIEF JUSTICE

dev  
20.11.13

WA No. 2 of 2012

20.11.2013

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE SR SEN

Shri ND Chullai, Sr. GA, present for the  
appellant.

Shri HS Thangkhiew, Sr. Advocate, present for  
the respondent/writ petitioner.

Additional affidavit has been filed on behalf of  
the respondent/writ petitioner on 12.11.2013. Same  
be taken on record.

Learned counsel for the appellant prays for  
and is allowed one week's time to file reply.

List on 27.11.2013.

JUDGE  
(Hon'ble Mr Justice SR Sen)

CHIEF JUSTICE

dev  
20.11.13

WA No. 17 of 2012

20.11.2013

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE SR SEN

Ms SG Momin, Advocate, present for the appellant.

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

Notices sent by Registered post to respondents No.  
4 and 5 have not yet been received back.

Wait till 1<sup>st</sup> week of December, 2013. List on  
11.12.2013.

JUDGE  
(Hon'ble Mr Justice SR Sen)

CHIEF JUSTICE

dev  
20.11.13

WP(C) No. 16 of 2013

20.11.2013

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE SR SEN

Adjourned at the request of Shri S Dey, counsel holding brief for Shri GN Sahewalla, Sr. counsel for the petitioner.

List after three weeks for final hearing.

JUDGE  
(Hon'ble Mr Justice SR Sen)

CHIEF JUSTICE

dev  
20.11.13

WP(C) No. 117 of 2013

20.11.2013

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE SR SEN

Adjourned at the request of Smti T Yangi, counsel  
for the respondents.

List on 27.11.2013 for orders.

JUDGE  
(Hon'ble Mr Justice SR Sen)

CHIEF JUSTICE

dev  
20.11.13

WP(C) No. 118 of 2013

20.11.2013

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE SR SEN

Adjourned at the request of Smti T Yangi, counsel for  
the respondents.

List on 27.11.2013 for orders.

JUDGE  
(Hon'ble Mr Justice SR Sen)

CHIEF JUSTICE

dev  
20.11.13

WP(C) No. 129 of 2011

20.11.2013

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE SR SEN

Adjourned at the request of Shri P Nongbri,  
counsel for the petitioner.

List after two weeks for final hearing.

JUDGE  
(Hon'ble Mr Justice SR Sen)

CHIEF JUSTICE

dev  
20.11.13

WP(C) No. 246 of 2012

20.11.2013

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE SR SEN

Adjourned at the request of Shri P Nongbri,  
counsel for the petitioner.

List on 27.11.2013 for final hearing.

JUDGE  
(Hon'ble Mr Justice SR Sen)

CHIEF JUSTICE

dev  
20.11.13



WP(C) No. 356 of 2012

20.11.2013

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE SR SEN

Adjourned at the request of Ms R Dutta, counsel  
for the petitioner.

List after two weeks for final hearing.

JUDGE  
(Hon'ble Mr Justice SR Sen)

CHIEF JUSTICE

dev  
20.11.13