

BA No. 146 of 2013

21.11.2013

HON'BLE THE CHIEF JUSTICE

Shri R Pyngrope, Advocate, present for the applicant.

Shri R Gurung, GA, present for the State respondents.

Learned counsel for the applicant prays for and is allowed to withdraw this bail application.

The bail application is dismissed as withdrawn.

CHIEF JUSTICE

dev
21.11.13

BA No. 147 of 2013

21.11.2013

HON'BLE THE CHIEF JUSTICE

None present for the applicant.

Shri R Gurung, GA, present for the State respondents.

The bail application is dismissed for non prosecution.

CHIEF JUSTICE

dev
21.11.13

Cont Case 33 of 12
IN WP(C) No. 419 of 2011

21.11.2013

HON'BLE THE CHIEF JUSTICE

Shri HL Shangreiso, Advocate, present for the writ petitioner/applicant.

Shri SC Shyam, Sr. Advocate, present for respondents.

In view of the acceptance of compliance report as mentioned in the order of the date in Misc. Case No. 139 of 2013, no action need be taken in the present contempt petition.

Therefore, this contempt petition stands disposed of and the notices issued against respondents are discharged.

CHIEF JUSTICE

dev
21.11.13

Cont Case 38 of 2013
IN WP(C) No. 64 of 2013

21.11.2013

HON'BLE THE CHIEF JUSTICE

Shri VK Jindal, Sr. Advocate, assisted by Shri S Jindal, Advocate, present for the petitioner/applicant.

This application moved on behalf of the writ petitioner under Section 12 of Contempt of Court's Act, 1971 complaining disobedience of interim order dated 07.01.2013 passed in WP(C)No. 64 of 2013.

Issue notices to respondents, who may file their response within a period of four weeks.

List on 04.02.2014.

CHIEF JUSTICE

dev
21.11.13

Cont Case 39 of 2013

21.11.2013

HON'BLE THE CHIEF JUSTICE

Shri VK Jindal, Sr. Advocate, assisted by Shri S Jindal, Advocate, present for the petitioner/applicant.

This application moved on behalf of the writ petitioner under Section 12 of Contempt of Court's Act, 1971 complaining disobedience of interim order dated 07.01.2013 passed in WP(C)No. 44 of 2013.

Issue notices to respondents, who may file their response within a period of four weeks.

List on 04.02.2014.

CHIEF JUSTICE

dev
21.11.13

Cr1 Appln No. 9 of 2010

21.11.2013

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of Shri S Thapa, counsel holding brief for Shri K Paul, counsel for the applicant.

List on 03.12.2013 for final hearing showing the name of Shri K Paul as counsel for the applicant.

CHIEF JUSTICE

dev
21.11.13

MC No. 139 of 2013
IN COP No. 33 of 2012

21.11.2013

HON'BLE THE CHIEF JUSTICE

Shri SC Shyam, Sr. Advocate, present for the applicant.

Shri HL Shangreiso, Advocate, present for the respondent(writ petitioner).

Heard.

This application (Misc. Case No. 139 of 2013) has been filed on behalf of respondents of the writ petition and the alleged contemnor stating that compliance of judgment and order dated 02.06.2013, passed in WP(C)No. 419 of 2010 has been made.

Having heard learned counsel for the parties and after perusing the affidavit filed in support of the application, the compliance report is accepted.

Accordingly, Misc. Case No. 139 of 2013 stands disposed of.

CHIEF JUSTICE

dev
21.11.13

MC (WP(Crl) No. 314 of 2013
IN WP(Crl) No. 8 of 2013

21.11.2013

HON'BLE THE CHIEF JUSTICE

List this matter on 03.12.2013 along with
WP(Crl)No. 8 of 2013.

CHIEF JUSTICE

dev
21.11.13

WP(Crl) No. 8 of 2013

21.11.2013

HON'BLE THE CHIEF JUSTICE

Shri R Kar, Advocate, present for the petitioner.

Shri KB Bhattacharjee, Advocate, present for respondents.

Two weeks' time was allowed to the respondents to file counter affidavit on 19.11.2013 which has not yet expired.

Registry has wrongly listed this matter.

List this matter on 03.12.2013.

CHIEF JUSTICE

dev
21.11.13

WP(C) No. 111 of 2013

21.11.2013

HON'BLE THE CHIEF JUSTICE

Shri MF Qureshi, Advocate, present for the petitioner.

Shri KB Bhattacharjee, Advocate, present for respondents No. 1 and 2.

Shri S Sen, Advocate, present for respondents No. 3 and 5.

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

List after two weeks. Meanwhile, the petitioner may file her rejoinder affidavit against the counter affidavit filed on behalf of respondents No. 3 and 5.

CHIEF JUSTICE

dev
21.11.13

WP(C) No. 230 of 2013

21.11.2013

HON'BLE THE CHIEF JUSTICE

Shri N Mozika, Advocate, present for the writ petitioners.

Ms P Roy, counsel holding brief for Shri R Deb Nath, counsel for the respondents.

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

List after three weeks.

CHIEF JUSTICE

dev
21.11.13

WP(C) No. 231 of 2013

21.11.2013

HON'BLE THE CHIEF JUSTICE

Shri N Mozika, Advocate, present for the writ petitioner.

Ms P Roy, counsel holding brief for Shri R Deb Nath, counsel for the respondents.

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

List after three weeks.

CHIEF JUSTICE

dev
21.11.13

WP(C) No. 232 of 2013

21.11.2013

HON'BLE THE CHIEF JUSTICE

Shri N Mozika, Advocate, present for the writ petitioner.

Ms P Roy, counsel holding brief for Shri R Deb Nath, counsel for the respondents.

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

List after three weeks.

CHIEF JUSTICE

dev
21.11.13

WP(C) No. 239 of 2013

21.11.2013

HON'BLE THE CHIEF JUSTICE

Shri AS Siddiqui, Advocate, present for the writ petitioners.

Shri KB Bhattacharjee, Advocate, present for respondents No. 1 and 2.

Shri MF Qureshi. Advocate, present for respondents No. 3 to 13.

Affidavit-in-opposition has been filed by the respondents No. 1 and 2. Same be taken on record.

Rejoinder affidavit has been filed on behalf of the petitioner to the counter affidavit filed on behalf of respondents No. 3 to 13.

Learned counsel for the petitioners prays for and is allowed two weeks' time to file rejoinder to the counter affidavit filed on behalf of respondents No. 1 and 2.

List after two weeks.

CHIEF JUSTICE

dev
21.11.13

21.11.2013

HON'BLE THE CHIEF JUSTICE

Smti M Deb, Advocate, present for the writ petitioners.

Mr ND Chullai, Sr. GA, present for respondents No. 1 to 7.

Heard.

By means of this writ petition, the writ petitioners have sought writ in the nature of mandamus directing the respondents not to harass them in the name of investigation in connection with Ampati Police Station Case No. 34(6)/2013 relating to offences punishable under Section 376(2)(1)(a) IPC, in which Md.Nurul Islam, is the accused.

It is submitted on behalf of the petitioners that petitioner No. 1 is the wife of the accused, and petitioner No. 2 Md. Nawaz Amania Islam, is the son of the accused and petitioner No. 3 Must Nazmin Amania Islam, is the daughter of the accused. The petitioners are not named in the FIR. There is no role assigned to them in commission of the crime. It is argued on behalf of the petitioners that only because the petitioners are wife and children of the accused they are being harassed for the reason that the named accused (Md Nurul Islam) has not yet surrendered in the Court. It is further pointed out that the petitioner No. 2 is pursuing his studies in MBBS course in Karnataka and petitioner No. 3 is pursuing her studies in BDS course in Bijapur.

Learned counsel for the respondents No. 1 to 7 prays for and is allowed four weeks' time to file counter affidavit.

Issue notices to respondents No. 8 to 13, who may also file their counter affidavits within a period of four weeks.

List this matter after four weeks. Meanwhile, respondents are directed not to harass the petitioners (who are not the accused) till the next date of listing.

CHIEF JUSTICE

