

**WP(C) No. 38 of 2013**

**25-6-2014**

**HON'BLE THE CHIEF JUSTICE,  
and HON'BLE MR. JUSTICE T.NANDAKUMAR SINGH**

Mr. ET Sajem, Advocate, present for the petitioner.

Mr. ND Chullai, Sr. GA, assisted by Mr. S.Sen  
Gupta, GA, present for the respondents.

Learned counsel for the petitioner prays for and is  
allowed 3(three) weeks' time to file the rejoinder affidavit.

List after 3(three) weeks. Meanwhile, the writ  
petitioner is directed to delete the names of respondent  
No. 5, F.L.Rani and respondent No. 6, D. Mawrie from the  
array of parties as directed vide order of the date passed  
in Misc. Case No. 178 of 2014.

(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

JUDGE

S.Rynjah

Crl Appeal No. 1 of 2012

25.06.2014

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE T NANDAKUMAR SINGH

Shri C Syngkon, Advocate, present for the  
appellant.

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

Adjourned at the request of learned counsel for the  
State respondents. List on 02.07.2014 for hearing.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
25.06.14

Crl Appeal No. 2 of 2012

25.06.2014

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE T NANDAKUMAR SINGH

List this matter along with Crl. Appeal No. 1 of  
2012.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
25.06.14

Crl Appeal No. 3 of 2012

25.06.2014

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE T NANDAKUMAR SINGH

List this matter along with Crl. Appeal No. 1 of  
2012.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
25.06.14

Crl Appeal No. 4 of 2012

25.06.2014

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE T NANDAKUMAR SINGH

List this matter along with Crl. Appeal No. 1 of  
2012.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
25.06.14

ITA No. 1 of 2013

25.06.2014

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE T NANDAKUMAR SINGH

Shri S Saikia, Advocate, present for the appellants.

Shri GK Joshi, Senior Advocate, assisted by Shri  
RK Joshi, Advocate, present for the respondent.

Heard arguments (not concluded).

List on 30.07.2014 for hearing, as prayed for by  
learned counsel for the parties.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
25.06.14

ITA No. 2 of 2013

25.06.2014

HON'BLE THE CHIEF JUSTICE  
and HON'BLE MR JUSTICE T NANDAKUMAR SINGH

Shri S Saikia, Advocate, present for the appellants.

Shri GK Joshi, Senior Advocate, assisted by Shri  
RK Joshi, Advocate, present for the respondent.

Heard arguments (not concluded).

List on 30.07.2014 for hearing, as prayed for by  
learned counsel for the parties.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
25.06.14

**MAF. No. 1 of 2012**

**25-6-2014**

**HON'BLE THE CHIEF JUSTICE,  
and HON'BLE MR. JUSTICE T.NANDAKUMAR SINGH**

Adjourned at the request of Mr. AA Mir, Advocate  
present for the respondents.

List on 16-7-2014.

(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

JUDGE

S.Rynjah

**MC(WA). No. 10 of 2014**  
**In WA No. 6 of 2014**

**25-6-2014**

**HON'BLE THE CHIEF JUSTICE,  
and HON'BLE MR. JUSTICE T.NANDAKUMAR SINGH**

List along with WA No. 6 of 2014.

(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

JUDGE

S.Rynjah

**MC(WA). No. 11 of 2014**

**25-6-2014**

**HON'BLE THE CHIEF JUSTICE,  
and HON'BLE MR. JUSTICE T.NANDAKUMAR SINGH**

Mr. R. Deb Nath, Advocate, present for the applicant.

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

Heard.

By means of this application, the writ appellant has sought condonation of delay in filing the writ appeal against the impugned judgment and order dated 18-4-2012 passed by learned Single Judge in WP(C) No. 440 (SH) of 2010.

Delay of 506 days have been sufficiently explained in clause (a) to (h) of paragraph 4 of the Application supported by an affidavit of Shri Shashi Kant Upadhyay, DIG,CRPF, Guwahati.

Application has been opposed by the respondent (writ petitioner).

Having heard learned counsel for the parties and after going through the grounds mentioned in paragraph 4 of the application supported by an affidavit, we are of the view that the application deserves to be allowed.

Accordingly, the application is allowed on payment of cost of ₹ 1000/- to be paid or deposited in favour of the writ petitioner/respondent. The delay condonation application is condoned subject to above term. Misc. Case No. 11 of 2014 stands disposed of.

(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

JUDGE

S.Rynjah

**MC(WA). No. 46 of 2014**  
**In WA No. 42 of 2014**

**25-6-2014**

**HON'BLE THE CHIEF JUSTICE,  
and HON'BLE MR. JUSTICE T.NANDAKUMAR SINGH**

In view of the interim order of the date passed in WA. No. 42 of 2014, no further orders need be passed in this Misc. Case which stands disposed of.

(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

JUDGE

S.Rynjah

**MC(WA). No. 51 of 2014**  
**In WA No. 46 of 2014**

**25-6-2014**

**HON'BLE THE CHIEF JUSTICE,  
and HON'BLE MR. JUSTICE T.NANDAKUMAR SINGH**

In view of the interim order of the date passed in WA. No. 46 of 2014, no further orders need be passed in this Misc. Case which stands disposed of.

(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

JUDGE

S.Rynjah

**MC/WP(C). No. 154 of 2014**  
**In WP(C) No. 68 of 2012**

**25-6-2014**

**HON'BLE THE CHIEF JUSTICE,  
and HON'BLE MR. JUSTICE T.NANDAKUMAR SINGH**

In view of the order of the date passed in Misc. Case No. 179 of 2014, no further orders need be passed in this application which stands disposed of.

Accordingly, Misc. No. 154 of 2014 stands disposed of.

(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

JUDGE

S.Rynjah

**MC[WP(C)]. No. 178 of 2014**

**25-6-2014**

**HON'BLE THE CHIEF JUSTICE,  
and HON'BLE MR. JUSTICE T.NANDAKUMAR SINGH**

Mr. ET Sajem, Advocate, present for the applicant.

Mr. ND Chullai, SR. GA, assisted by Mr. S.Sen  
Gupta, DA, present for the respondents.

Heard.

By means of this application, the writ petitioner has sought that the names of respondent No. 5, F.L.Rani and respondent No. 6, D. Mawrie be deleted from the array of parties in WP(C) No. 38 of 2013.

Learned counsel for the writ petitioner submitted that both the aforesaid respondents have died. They were impleaded for the reason that their names figured in the seniority list. As such, no one else is required to be substituted in their place.

In the above circumstances, the application is allowed. The writ petitioner is directed to delete the names of respondent No. 5, F.L.Rani and respondent No. 6, D. Mawrie from the array of parties in WP(C) No.38 of 2013 (Old No. 1720 of 2009). Misc. Case No. 178 of 2014 stands disposed of.

(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

JUDGE

S.Rynjah

**MC[WP(C). No. 179 of 2014**

**25-6-2014**

**HON'BLE THE CHIEF JUSTICE,  
and HON'BLE MR. JUSTICE T.NANDAKUMAR SINGH**

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

Mr. ND Chullai, Sr. GA, assisted by Mr. S.Sen Gupta,  
GA, present for the State respondents.

Mr. JM Thangkhiew, Advocate, present for the private  
respondent.

Heard.

By means of this application, the writ petitioner has  
sought substitution/impleadment of Shri Handle Mukhim, Ex.  
Member, Khasi Hills Autonomous District Council, Shillong in  
place of respondent No. 4, Shri. I.G.Lyngkhoi, in WP(C) No.  
68 of 2012 who is said to have died on 17-4-2014.

Learned counsel for the respondents states that  
there is no objection to the application filed on behalf of the  
writ petitioner.

Considering the application supported by an affidavit,  
the application deserves to be allowed.

Accordingly, the application is allowed.

Writ petitioner is allowed to implead Shri Handle  
Mukhim in place of Shri. I.G.Lyngkhoi (respondent No.4) in  
WP(C) No. 68 of 2012. Misc. Case No. 179 of 2014 stands  
disposed of.

(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

JUDGE

S.Rynjah

**WA No. 6 of 2014**

**25-6-2014**

**HON'BLE THE CHIEF JUSTICE,  
and HON'BLE MR. JUSTICE T.NANDAKUMAR SINGH**

List this writ appeal after 15(fifteen) days for  
admission/orders.

(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

JUDGE

S.Rynjah

**WA. No. 29 of 2014**

**25-6-2014**

**HON'BLE THE CHIEF JUSTICE,  
and HON'BLE MR. JUSTICE T.NANDAKUMAR SINGH**

Adjourned at the request of Mr. AA Mir, Advocate  
present for the appellants.

List on 16-7-2014.

(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

JUDGE

S.Rynjah

**WA. No. 33 of 2014**

**25-6-2014**

**HON'BLE THE CHIEF JUSTICE,  
and HON'BLE MR. JUSTICE T.NANDAKUMAR SINGH**

Adjourned at the request of Mr. R.Sahu, Advocate  
present for the respondent.

List after 3(three) weeks.

(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

JUDGE

S.Rynjah

**WA No. 35 of 2014**

**25-6-2014**

**HON'BLE THE CHIEF JUSTICE,  
and HON'BLE MR. JUSTICE T.NANDAKUMAR SINGH**

Mr. S.Sen Gupta, GA, present for the appellants.

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

This is an admitted appeal.

List this appeal for hearing after 3(three) weeks.

(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

JUDGE

S.Rynjah



**WA No. 42 of 2011**

**25-6-2014**

**HON'BLE THE CHIEF JUSTICE,  
and HON'BLE MR. JUSTICE T.NANDAKUMAR SINGH**

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

List on Wednesday i.e. 2-7-2014.

(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

JUDGE

S.Rynjah

**WA. No. 42 of 2014****25-6-2014****HON'BLE THE CHIEF JUSTICE,  
and HON'BLE MR. JUSTICE T.NANDAKUMAR SINGH**

Mr. KS Kynjing, Advocate General, assisted by Mr. K.Khan, Addl. Sr. Govt. Advocate, present for the appellants.

Heard.

This writ appeal is directed against judgment and order dated 15-5-2014 passed by learned Single Judge in WP(C) No. 235 of 2010 whereby said court has allowed the writ petition and directed that the writ petitioners be given back their citizenship certificates seized by the State government. It is further directed that the writ petitioners be enrolled in the electoral roll.

Briefly stated, the writ petitioners have pleaded in the writ petition that their parents migrated to India before 24-3-1971, from Bangladesh. It is further stated that the writ petitioners were born and brought up in India. It is also stated that they were issued citizenship certificates by district authorities of District Kamrup of State of Assam.

Learned counsel for the State/appellants submitted that the citizenship certificates issued to the writ petitioners could not be verified from the office of District Magistrate, Kamrup. It is contended that the learned Single Judge has erred in law in allowing the writ petition.

The issue involved in this writ appeal is important and requires examination.

Admit the appeal.

Issue notices to respondents (writ petitioners).

List after service of notice on the respondents. Meanwhile, as an interim measure, it is directed that status quo shall be maintained in respect of the status of the writ petitioners.

(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

JUDGE

S.Rynjah

**WA. No. 43 of 2014**

**25-6-2014**

**HON'BLE THE CHIEF JUSTICE,  
and HON'BLE MR. JUSTICE T.NANDAKUMAR SINGH**

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

Mr. ND Chullai, Sr. GA, assisted by Mr. S.Sen Gupta, GA, present for the respondent No. 2.

Mr. HS Thangkhiew, Sr. Advocate, assisted by Mr. PN Nongbri, Advocate, present for the respondents No. 3, 4, 5 and 7.

Heard.

This writ appeal is directed against the judgment and order dated 21-5-2014 passed by learned Single Judge in WP(C) No. 194 of 2012 whereby Land Holding Certificates/Settlement Orders/ Katcha Sale Deeds issued in favour of the appellants were cancelled.

Admit the appeal.

Issue notices to respondent No. 1 and respondent No. 6.

List after 4(four) weeks.

(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

JUDGE

S.Rynjah

**WA. No. 44 of 2014**

**25-6-2014**

**HON'BLE THE CHIEF JUSTICE,  
and HON'BLE MR. JUSTICE T.NANDAKUMAR SINGH**

Dr. ODV Ladia, Advocate, present for the appellant.

Mr. ND Chullai, Sr. GA, assisted by Mr. S. Sen Gupta, GA, present for the respondent No. 2.

Mr. HS Thangkhiew, Sr. Advocate, assisted by Mr. PN Nongbri, Advocate, present for the respondents No. 3, 4, 5, 6 and 7.

Heard.

This writ appeal is directed against the judgment and order dated 21-5-2014 passed by learned Single Judge in WP(C) No. 194 of 2012 whereby Land Holding Certificates/Settlement Orders/ Katcha Sale Deeds issued in favour of the appellant were cancelled.

Admit the appeal.

Issue notice to respondent No. 1.

List after 4(four) weeks.

(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

JUDGE

S.Rynjah

**WA. No. 46 of 2014****25-6-2014****HON'BLE THE CHIEF JUSTICE,  
and HON'BLE MR. JUSTICE T.NANDAKUMAR SINGH**

Mr. HL Shangreiso, Advocate, present for the appellant.

Mr. ND Chullai, Sr. GA, assisted by Mr. S. Sen Gupta, GA, present for the respondents.

Heard.

This writ appeal is directed against judgment and order dated 21-5-2014 passed in WP(C) No. 189 of 2011 whereby learned Single Judge has set aside the appointment of respondent No. 7 as Principal of Smit Higher Secondary School, Smit, Shillong, Meghalaya.

Learned counsel for the appellant submitted that the learned Single Judge has wrongly held that the appointment of respondent No.7 to the writ petition is in violation of Rule 7 of Assam Aided High School and Higher Secondary School Employees Rules, 1965. It is contended that the school is covered under the provisions of Meghalaya School Education Act, 1981 and Meghalaya Aided Higher Secondary, Secondary and Upper Primary Schools Management Rules, 1997.

Admit the appeal.

Issue notice to respondent, Kerlang Chyne (writ petitioner) and also to respondents No. 5, 6 and 7.

List after service of notice on the respondents.  
Meanwhile, as an interim measure, it is directed that  
operation of the impugned order dated 21-5-2014 shall  
remain stayed till the next date of listing.

(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

JUDGE

S.Rynjah