

CR(P)No.23/2011

26.11.2013

HON'BLE THE CHIEF JUSTICE

Smti. PDB Baruah, Advocate, present for the revisionist.

Shri. AA Mir, Advocate, present for the respondents.

Adjourned at the request of the learned counsel for the respondents.

List it on **04.02.2014** alongwith the connected revision petition.

CHIEF JUSTICE

Lam
26.11.2013

CR(P)No.24/2011

26.11.2013

HON'BLE THE CHIEF JUSTICE

Shri. VK Jindal, Senior Advocate, present for the revisionist.

Smti. PDB Baruah, Advocate, present for the respondents No.1 – 5.

Shri. AA Mir, Advocate, present for the respondents No.6 – 9.

Adjourned at the request of the learned counsel for the respondents
No.6 - 9.

List it on **04.02.2014** alongwith the connected revision petition.

CHIEF JUSTICE

Lam
26.11.2013

WP(C) No.220/2013

26.11.2013

HON'BLE THE CHIEF JUSTICE

Shri. R Sahu, Advocate, present for the petitioner.

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

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

List it after four weeks.

CHIEF JUSTICE

Lam
26.11.2013

WP(C) No.221/2013

26.11.2013

HON'BLE THE CHIEF JUSTICE

Shri. R Sahu, Advocate, present for the petitioner.

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

Mrs. N Gurung, Advocate, present for the respondents No.4-6.

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

List it after three weeks.

CHIEF JUSTICE

Lam
26.11.2013

WP(C) No.241/2013

26.11.2013

HON'BLE THE CHIEF JUSTICE

Shri. HR Nath, Advocate, present for the petitioners.

Mr. ND Chullai, Sr. Govt. Advocate, present for the respondents
No.1 -4.

Mr. R Kar, Advocate, present for the respondents No.5, 7 & 9.

Learned counsel for the respondents No.5, 7 & 9 prays for and is
allowed further two weeks' time to file counter affidavit.

List it after two weeks.

CHIEF JUSTICE

Lam
26.11.2013

WP(C) No.244/2013

26.11.2013

HON'BLE THE CHIEF JUSTICE

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

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

List it after three weeks.

CHIEF JUSTICE

Lam
26.11.2013

WP(C) No.248/2013

26.11.2013

HON'BLE THE CHIEF JUSTICE

Shri. R Jha, Advocate, present for the petitioner.

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

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

List it after three weeks.

CHIEF JUSTICE

Lam
26.11.2013

AB. No. 150 of 2013

26.11.2013

HON'BLE THE CHIEF JUSTICE

Smti. M.Deb, Advocate present for the petitioner/applicant.

Shri R.Gurung, Govt. Advocate present for the respondents.

Learned counsel for the petitioner/applicant prays for and is allowed to withdraw this Anticipatory Bail Application.

Accordingly, Anticipatory Bail Application No. 150 of 2013 is dismissed as withdrawn.

CHIEF JUSTICE

S.Rynjah

BA. No. 149 of 2013

26.11.2013

HON'BLE THE CHIEF JUSTICE

Smti S. Bhattacharjee, Advocate present for the applicant.

Shri R.Gurung, Govt. Advocate present for the State respondents.

Heard.

By means of this application, the applicant has sought bail of his Son-in-law, Shri. Debashish Chakraborty (accused) arrested in connection with Tura P. S. Case No. 238 (11) 2013 and G.R. Case No. 449/13 on the basis of complaint lodged by one Shri. Paritosh Chandra Saha in connection with offences punishable under Section 384/506/34 IPC.

Learned counsel for the applicant submitted that applicant's Son-in-law, Shri Debashish Chakraborty (accused) is tenant of the complainant, Shri Paritosh Chandra Saha. It is argued before this Court that the landlord wanted to evict the tenant as such to pressurize him, the First Information Report (FIR) was lodged. It is further alleged that earlier an FIR was lodged by the accused (Shri Debashish Chakraborty) against the grand-son of the landlord relating to commission of rape of his infant daughter. It is contended that to take revenge, the present FIR has been lodged by the landlord.

Having gone through the papers and record, and after considering the submissions of the learned counsel for the parties, without expressing any opinion as to final merit of the case, this Court is of the view that accused Debashish Chakraborty deserves bail.

Accordingly, Bail Application is allowed. Let accused, Shri Debashish Chakraborty be released on bail on executing a personal bond and furnishing two sureties each of the like amount to the satisfaction of Chief Judicial Magistrate, Tura.

CHIEF JUSTICE

S.Rynjah

Cont.Cas(C). No. 24 of 2013

26.11.2013

HON'BLE THE CHIEF JUSTICE

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

Mr. O.D.V.ladia, Advocate present for the respondents No. 1 and 2.

Mr. B.Khyriem, Advocate present for respondents No. 3 and 4.

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

List this case after 2(two) weeks.

Meanwhile, the petitioner is allowed to file rejoinder affidavit to the responses filed by respondents No. 3 and 4.

CHIEF JUSTICE

S.Rynjah

Cont.Case(C) No. 36 of 2012

26.11.2013

HON'BLE THE CHIEF JUSTICE

Ms.L.Khiangte, Advocate present for the petitioner.

Shri N.D.Chullai, Sr. Govt. Advocate present for the respondents.

Learned counsel for the petitioner prays for and is allowed 15 days time to amend the contempt petition to implead the alleged contemnor by name.

List this case after 15 days.

CHIEF JUSTICE

S.Rynjah

Cont.Case. No. 23 of 2013

26.11.2013

HON'BLE THE CHIEF JUSTICE

Shri P.T.Sangma, Advocate, present for the petitioner.

Smti N.G.Shylla, Govt. Advocate present for the respondent.

Learned counsel for the respondent prays for and is allowed 3(three) weeks' time to file response to the contempt petition.

List this case after 3(three) weeks.

CHIEF JUSTICE

S.Rynjah

CRL.MC. No. 37 of 2013

26.11.2013

HON'BLE THE CHIEF JUSTICE

List alongwith CRL.Petrn. No. 42 of 2013.

CHIEF JUSTICE

S.Rynjah

CRL.M.C. No. 38 of 2013

26.11.2013

HON'BLE THE CHIEF JUSTICE

List alongwith CRL.Petrn. No. 43 of 2013.

CHIEF JUSTICE

S.Rynjah

CRL.M.C. No. 39 of 2013

26.11.2013

HON'BLE THE CHIEF JUSTICE

List alongwith CRL.Petrn. No. 44 of 2013.

CHIEF JUSTICE

S.Rynjah

CRL.Petn. No. 44 of 2013

26.11.2013

HON'BLE THE CHIEF JUSTICE

Shri P.Nongbri, Advocate present for the petitioners.

Shri N.D.Chullai, Sr.Govt. Advocate present for the State respondents.

Shri O.D.V.Ladia, Advocate present for the respondent No.2.

Counter affidavit has been filed on behalf of respondent No.2. Same be taken on record.

Learned counsel for the petitioner prays for and is allowed 2(two) weeks' time to file rejoinder affidavit.

List this case after 2(two) weeks.

CHIEF JUSTICE

S.Rynjah

CRL.Petn. No. 42 of 2013

26.11.2013

HON'BLE THE CHIEF JUSTICE

Shri P.Nongbri, Advocate present for the petitioners.

Shri N.D.Chullai, Sr.Govt. Advocate present for the State respondents.

Shri O.D.V.Ladia, Advocate present for the respondent No.2.

Counter affidavit has been filed on behalf of respondent No.2. Same be taken on record.

Learned counsel for the petitioner prays for and is allowed 2(two) weeks' time to file rejoinder affidavit.

List this case after 2(two) weeks.

CHIEF JUSTICE

S.Rynjah

CRL.Petn. No. 43 of 2013

26.11.2013

HON'BLE THE CHIEF JUSTICE

Shri P.Nongbri, Advocate present for the petitioners.

Shri N.D.Chullai, Sr.Govt. Advocate present for the State respondents.

Shri O.D.V.Ladia, Advocate present for the respondent No.2.

Counter affidavit has been filed on behalf of respondent No.2 and 3. Same be taken on record.

Learned counsel for the petitioner prays for and is allowed 2(two) weeks' time to file rejoinder affidavit.

List this case after 2(two) weeks.

CHIEF JUSTICE

S.Rynjah

MC[WP(C)]. No. 509 of 2012

26.11.2013

HON'BLE THE CHIEF JUSTICE

In view of the order of the date passed in WP(C) No. 361 of 2012,
this Misc. Case No. 509 of 2012 stands disposed of.

CHIEF JUSTICE

S.Rynjah

WP(C). No. 336 of 2013

26.11.2013

HON'BLE THE CHIEF JUSTICE

Shri R.Sahu, Advocate present for the petitioner.

Smti N.G.Shylla, Govt. Advocate present for the respondents No. 1 and 2.

Issue notice to respondent No. 3, 4, 5, 6 and 7 who may also file their counter affidavit within a period of 3(three) weeks.

Meanwhile, learned counsel for the respondents No. 1 and 2 may also seek instructions in the matter.

List this case after 3(three) weeks.

CHIEF JUSTICE

S.Rynjah

WP(C). No. 361 of 2012

26.11.2013

HON'BLE THE CHIEF JUSTICE

Shri K.Khan, Advocate present for the petitioner.

Shri R.Thangkhiew, Advocate holding brief for Shri. V.G.K.Kynta, Sr. Advocate present for the respondents No. 1, 2 and 3.

Shri L.Khyriem, Advocate present for the respondent No. 4.

Heard.

By means of this writ petition, the petitioner has sought writ in the nature of mandamus directing the respondent No.4 to issue No Objection Certificate (NOC) to the petitioner and further direct the respondents No. 1, 2 and 3 to issue the renewal of his trading license No. 3402/B in the name of the petitioner.

Brief facts of the case are that the trading license was sought by the petitioner's father which was granted to him in the year 1997. In compliance to order dated 31-8-2009 passed in WP(C) No. (SH) 236 of 2009, said license was renewed for the period 2004-2010. Petitioner's father died on 28th August, 2008, whereafter the present petitioner sought renewal of the trading license in his name. On receiving no response, he (petitioner) filed WP(C) No. (SH) 195 of 2012 which was disposed of vide order dated 3-8-2012 for consideration of renewal of license in the name of the petitioner within a period of 6(six) months. The present petitioner has pleaded that he made several requests to the respondents for issuance of renewal of trading license No. 3402/B in respect of Stall No. 381/C in his name but because of non issuance of NOC by respondent No.4, the trading license could not be renewed as communicated by respondents No. 1, 2 and 3.

Learned counsel for the respondents No. 1, 2 and 3 submitted that said respondents have no objection in issuance/renewal of trading license No. 3402/B in respect of Stall No. 381/C in the name of the petitioner but because NOC has not been received from the respondent

No.4, as such the matter is held up. No counter affidavit has been filed on behalf of the said respondents.

Respondent No. 4 who is represented by his counsel before this Court also did not file any counter affidavit. Learned counsel for respondent No.4 orally submitted before this Court that the file of the writ petitioner relating to issuance of NOC is lost in the office, as such the NOC could not be issued.

Having heard learned counsel for the parties, in the above facts and circumstances of the case, this writ petition is disposed of with the observation that within a period of one week from today copies of the papers may be supplied by the petitioner to the respondent No.4 and thereafter within a period of three weeks the respondent No.4 may consider issuance of NOC to the respondents No. 1, 2 and 3 so that the matter relating to renewal of trading license No. 3402/B is processed. In case after the copies are supplied by the petitioner, the respondent No.4 fails to communicate to the respondents No.1, 2 and 3 within 3(three) weeks' the NOC shall be presumed to have been granted by respondent No.4 and respondents No. 1, 2 and 3 may take decision on renewal of license of the petitioner in his name.

CHIEF JUSTICE

S.Rynjah

CRL.A. No. 3 of 2008

26.11.2013

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of learned counsel for the appellant.

List on 28-11-2013. No further adjournment shall be granted in this old appeal.

CHIEF JUSTICE

S.Rynjah

CRP. No. 28 of 2013

26.11.2013

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of Shri N.Mozika, Advocate present for the petitioner/revisionist.

List this case after 4(four) weeks.

CHIEF JUSTICE

S.Rynjah