

Cont Petn No. 18 of 2013

28.03.2014

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

Shri HS Thangkhiew, Senior Advocate, assisted by
Shri N Mozika, Advocate, present for the petitioner.

Shri KP Pathak, Asst. Solicitor General, assisted by
Smti T Yangi, Advocate, present for the respondents.

It may be mentioned that the respondent No. 2 PK
Mahanta, Under Secretary (AD-V), Government of India is
present in person in the Court and an exemption from
personal appearance for today has been allowed by this
Court vide order of the date in Misc. Case No. 2 of 2014.

In view of the order of the date passed in Misc. Case
No. 2 of 2014, list this Contempt Petition No. 18 of 2013
after four weeks, on 30.04.2014.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

WP(C)No. 262 of 2013

28.03.2014

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

Shri SC Shyam, Senior Advocate, present for the petitioners.

Shri R Jha, Advocate, present for the respondent.

Heard.

By this writ petition, the writ petitioners Union of India and Ors. have challenged the award dated 11.12.2012, passed by the Central Administrative Tribunal, Guwahati Bench, Guwahati, in Original Application No. 26 of 2012.

The issue involves in this writ petition as to whether the respondent who was entitled to pension Old Pension Scheme or New Pension Scheme of the Government of India.

Admit the petition.

Affidavit-in-opposition has already been filed. Same be taken on record.

Learned counsel for the petitioners states that no rejoinder affidavit is required to be filed.

List this writ petition in due course for hearing.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

MC No. 2 of 2014
IN Cont Petn No. 18 of 2013

28.03.2014

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

Shri KP Pathak, Addl. Solicitor General, assisted by
Smti T Yangi, Advocate, present for the applicant.

Shri HS Thangkhiew, Senior Advocate, assisted by
Shri N Mozika, Advocate, present for the respondent.

By means of this application, the applicant Sumit
Bose who is a respondent in Contempt Case No. 18 of
2013 has sought exemption from appearance today in the
Court.

Heard.

Learned counsel for the applicant submitted that in
compliance of order dated 11.12.2012, passed in WP(C)
No. 214(SH) of 2012, after the SLP (Civil No. 19568/2013)
was dismissed by the Apex Court, necessary steps were
taken for compliance of the Court's order. It is further
submitted that a proposal has already been sent to
Department of Personnel and Training, North Block, New
Delhi vide Office Memorandum dated 25.02.2014 and
approval of Appointment Committee of the Cabinet is also
sought to be expedited.

In the above circumstances, this application
seeking exemption of the applicant Sumit Bose from
personal appearance for to-day is allowed.

Misc. Case No. 2 of 2014 stands disposed of.

(Hon'ble Mr Justice TNK Singh)
JUDGE

(Prafulla C Pant)
CHIEF JUSTICE

dev
28.03.14

MC No. 22 of 2014
IN WA No. 10 of 2014

28.03.2014

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

In view of the order of the date passed in WA No. 10
of 2014, no further order needs to be passed in this Misc.
Case, which stands disposed of

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

MC No. 23 of 2014
IN WA No. _____ of 2014

28.03.2014

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

Shri R Jha, Advocate, present for the applicant.

Shri SC Shyam, Senior Advocate, present for
respondents.

Heard.

By means of this application, the applicant has
sought condonation of delay of 51 days in filing the
appeal against judgment and order dated 02.12.2013,
passed by the learned single Judge in WP(C)No. 284 of
2012.

The delay has been sufficiently explained in the
affidavit of the applicant Nb/Sub (GD) Tikendra Singh.

The delay condonation application is allowed. The
delay is condoned.

Misc. Case No. 23 of 2014 stands disposed of.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

MC No. 24 of 2014
IN WA No. _____ of 2014

28.03.2014

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

Shri R Jha, Advocate, present for the applicant.

Shri SC Shyam, Senior Advocate, present for the
respondents.

Learned counsel for the respondents prays for and
is allowed three weeks' time to file objection/affidavit-in-
opposition to the affidavit filed in the delay condonation
application.

List after three weeks.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

MC No. 37 of 2013
IN WA No. 39 of 2012

28.03.2014

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

List this Misc. Case along with WA No. 39 of 2012.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

MC No. 38 of 2013
IN WA No. 39 of 2012

28.03.2014

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

List this Misc. Case along with WA No. 39 of 2012.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

MC No. 99 of 2014
IN WP(C)No. 324 of 2013

28.03.2014

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

Shri AH Hazarika, Advocate, present for the applicants.

Shri K Paul, Advocate, present for the respondents.

Heard.

By means of this application, the applicants (respondents in the writ petition) have sought recall of order dated 03.03.2014, whereby, it is directed that no further time shall be allowed to the respondents to file their counter affidavits.

Considering the grounds mentioned in the application supported by affidavit, the order dated 03.03.2014 passed in WP(C)No. 324 of 2013 is allowed to the extent of recalling that no further time shall be allowed to the respondents to file counter affidavit, and the counter affidavit filed on behalf of the respondents is allowed to be taken on record.

Misc. Case stands disposed of.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

MC No. 122 of 2013
IN WA No. 11 of 2013

28.03.2014

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

List this Misc. Case along with WA No. 11 of 2013.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

WA No. 11 of 2013
IN WP(C)No. 230 of 2011

28.03.2014

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

Adjourned at the request of Shri N Mozika, counsel
for the respondents. List after two weeks for hearing.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

MC No. 294 of 2013
IN WP(C)No. 262 of 2013

28.03.2014

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

List this Misc. Case along with WP(C)No. 262 of
2013.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

MC No. 331 of 2013
IN WP(C)No. 305 of 2013

28.03.2014

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

In view of the order of the date passed in WP(C)No.
305 of 2013, no further orders need to be passed in this
Misc. Case, which also stands disposed of.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

MC No. 354 of 2011
IN WA No. 48 of 2011

28.03.2014

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

List this Misc. Case along with WA No. 48 of 2011.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

MC No. 364 of 2013
IN WP(C)No. 324 of 2013

28.03.2014

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

List this Misc. Case along with WP(C)No. 324 of
2013.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

MC No. 416 of 2013
IN WP(C)No. 385 of 2013

28.03.2014

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

List this Misc. Case along with WP(C)No. 385 of
2013.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

MC No. 417 of 2013
IN WP(C)No. 388 of 2013

28.03.2014

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

List this Misc. Case along with WP(C)No. 388 of
2013.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

MC No. 418 of 2013
IN WP(C)No. 386 of 2013

28.03.2014

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

List this Misc. Case along with WP(C)No. 386 of
2013.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

MC No. 419 of 2013
IN WP(C)No. 387 of 2013

28.03.2014

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

List this Misc. Case along with WP(C)No. 387 of
2013.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

WA No. 10 of 2014
IN WP(C)No. 361 of 2011

28.03.2014

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

Shri SC Shyam, Senior Advocate, present for the appellants.

Shri R Jha, Advocate, present for the respondent.

This appeal is directed against the judgment and order dated 26.02.2014, passed by the learned single Judge in WP(C)No. 361 of 2011, wherein, said Court has allowed the writ petition and set aside the order of the discharge/dismissal terminating the services of the writ petitioner/respondent Vijay Kumar.

Learned counsel for the appellants argued that the learned single Judge has erred in law in entertaining the writ petition after a period of eight years of discharge/dismissal order. It is further submitted that the learned single Judge has not appreciated properly the absence without leave on the part of the writ petitioner/respondent, and the four red ink entries.

Admit the appeal.

Issue notice to the respondent Vijay Kumar.

Having heard learned counsel for the appellants and after going through the papers on record, as an interim measure, it is directed that operation of the impugned order dated 26.02.2014 passed in WP(C)No. 361 of 2011 is stayed until further orders of this Court.

List for hearing after service of notice on the respondent.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

WP(C)No. 324 of 2013

28.03.2014

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

Shri K Paul, Advocate, present for the petitioner.

Shri AH Hazarika, Advocate, present for the respondents.

In view of the order of the date passed in Misc. Case No. 99 of 2014, affidavit-in-opposition filed on behalf of respondents No. 1,2,3 and 5 is taken on record.

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

List after three weeks.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

WA No. 34 of 2010
IN WP(C)No. 108 of 2006

28.03.2014

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

Adjourned at the request of Shri HL Shangreiso,
counsel for the appellants. List on 23.04.2014 for
hearing.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

WA No. 39 of 2012

28.03.2014

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

Adjourned at the request of Ms Anita Kharumnuid,
counsel for the appellants. List after two weeks for
hearing.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

WA No. 43 of 2011
IN WP(C)No. 84 of 2003

28.03.2014

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

Adjourned at the request of Ms R Dutta, counsel for
the appellants. List after two weeks for hearing.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

WA No. 48 of 2011
IN WP(C)No. 120 of 2011

28.03.2014

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

Adjourned at the request of Ms Anita Kharumnuid,
counsel for the appellants. List after two weeks for
hearing.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

WA No. _____ of 2014

28.03.2014

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

List this appeal along with MC No. 24 of 2014 after
three weeks.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

WA No. _____ of 2014

28.03.2014

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

Shri R Jha, Advocate, present for the appellant.

Shri SC Shyam, Senior Advocate, present for the respondents.

Heard.

The delay has already been condoned as per the order of the date passed in Misc. Case No. 23 of 2014.

This writ appeal is directed against the judgment and order dated 02.12.2013, passed by the learned single Judge in WP(C)No. 284 of 2012, whereby, said Court has dismissed the writ petition challenging the order of the compulsory retirement of the appellant.

Admit the appeal.

List this appeal for hearing in due course.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

WP(C)No. 119 of 2014

28.03.2014

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

Shri K Paul, Advocate, present for the petitioners.

Shri KS Kynjing, Advocate General, assisted by Shri
ND Chullai, Senior GA, present for the respondents.

Learned counsel for the petitioners states that this writ petition has become infructuous as the payment of electricity bills in terms of the Court's order dated 31.01.2014, passed in Misc. Case No. 3 of 2014, has already been made.

Therefore, this writ petition is dismissed as infructuous.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

WP(C)No. 262 of 2013

28.03.2014

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

Shri SC Shyam, Senior Advocate, present for the petitioners.

Shri R Jha, Advocate, present for the respondent.

Heard.

By this writ petition, the writ petitioners Union of India and Ors. have challenged the award dated 11.12.2012, passed by the Central Administrative Tribunal, Guwahati Bench, Guwahati, in Original Application No. 26 of 2012.

The issue involves in this writ petition as to whether the respondent is entitled to pension Old Pension Scheme or New Pension Scheme of the Government of India.

Admit the petition.

Affidavit-in-opposition has already been filed. Same be taken on record.

Learned counsel for the petitioners states that no rejoinder affidavit is required to be filed.

List this writ petition in due course for hearing.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

WP(C)No. 305 of 2013

28.03.2014

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

Shri VK Jindal, Senior Advocate, assisted by Shri S Dey, Advocate, present for the petitioner.

Smti T Yangi, Advocate, present for the respondents.

Learned counsel for the parties pointed out that the respondent authorities have already given opportunity to the petitioner for personal hearing on 14.03.2014 in connection with his claim regarding fixation of Special Rate of tax in respect of Ferro Silicon (manufactured by the petitioner) for the financial year 2008-2009, and it is expected that the respondents will adjudicate upon the claim made by the petitioner.

In view of the above development, learned counsel for the parties stated that this writ petition may be disposed of giving a reasonable time to the respondents to adjudicate the claim.

Accordingly, this writ petition is disposed of as requested by the learned counsel for the parties, with the observation that the respondent authorities may take a decision on the claim of the petitioner, for which he has already been given personal hearing by them, within a period of four weeks from the date of certified copy of this order, is produced before the authority concerned.

(Hon'ble Mr Justice TNK Singh)
JUDGE

(Prafulla C Pant)
CHIEF JUSTICE

dev
28.03.14

WP(C)No. 388 of 2013

28.03.2014

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

Shri K Paul, Advocate, present for the petitioner.

Smti T Yangi, Advocate, present for the
respondents.

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

List after four weeks.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

WP(C)No. 385 of 2013

28.03.2014

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

Shri K Paul, Advocate, present for the petitioner.

Smti T Yangi, Advocate, present for the
respondents.

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

List after four weeks.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

WP(C)No. 386 of 2013

28.03.2014

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

Shri K Paul, Advocate, present for the petitioner.

Smti T Yangi, Advocate, present for the
respondents.

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

List after four weeks.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14

WP(C)No. 387 of 2013

28.03.2014

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

Shri K Paul, Advocate, present for the petitioner.

Smti T Yangi, Advocate, present for the
respondents.

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

List after four weeks.

JUDGE
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev
28.03.14