

Crl. Appeal No. 4 of 2013

30.10.2013

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

Shri R Kar, Advocate, present for the appellant.

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

Heard.

This appeal preferred under Section 374 of CrPC  
is directed against the judgment and order dated  
26.08.2013/27.09.2013, passed in Session Case No. 6  
of 2007, whereby the accused/appellant Shri Fozlur  
Basit, has been convicted under Section 302 IPC and  
sentenced to imprisonment for life.

Admit the appeal.

Summon the lower court record.

List after lower court record is received for orders  
in the bail application.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
30.10.13

Crl. Appeal No. 6 of 2013

30.10.2013

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

Shri R Kar, Advocate, present for the appellant.

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

Heard.

This appeal preferred under Section 374 of CrPC is directed against the judgment and order dated 26.08.2013/27.09.2013, passed in Session Case No. 6 of 2007, by the Fast Track Court, Tura, whereby the accused/appellant Shri Soiful SK, has been convicted under Section 304 (Part-I)/34 IPC and sentenced to rigorous imprisonment for a period of three years and directed to pay a fine of Rs. 5,000/-.

Admit the appeal.

Summon the lower court record.

List after lower court record is received for order along with connected Crl Appeal No. 4 of 2013.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
30.10.13



Crl MC No. 53 of 13  
IN Crl. Appeal No. 4 of 2013

30.10.2013

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

Shri R Kar, Advocate, present for the appellant.

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

List after lower court record is received for orders on  
the bail application.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
30.10.13

Crl MC No. 55 of 13  
IN Crl. Appeal No. 6 of 2013

30.10.2013

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

Shri R Kar, Advocate, present for the appellant.

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

Heard.

This application (Crl MC No. 55 of 13) is filed for suspension of the impugned sentence dated 26.08.2013/19.09.2013 passed by the Fast Track Court, Tura in Session Case No. 6 of 2007, and for granting bail to the appellant convicted under Section 304 (Part-I)/34 IPC and sentenced to rigorous imprisonment for three years and directed to pay fine of Rs. 5,000/-.

Learned counsel for the appellant/applicant submitted that the appellant/applicant was on bail during the trial. It is further pointed out that he is an old man. It is also pointed out that no specific role has been assigned to the present appellant in the commission of crime.

In the above circumstances, without expressing any opinion on merits of the appeal, this Crl. MC is disposed of with the direction that the appellant Shri Soiful Sk be released on bail by executing a bond of Rs. 25,000/- with two sureties of the like amount to the satisfaction of the Chief Judicial Magistrate, West Garo Hills, Meghalaya.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
30.10.13

MC 237 of 2012

IN WP(C)No. 180 of 12

30.10.2013

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

List after two weeks along with WP(C)No. 180 of 12.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
30.10.13

MC No. 273 of 13  
IN WA 32 of 13

30.10.2013

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

Shri H Abraham, Advocate, present for the applicant.

Shri B Khyriem, Advocate, present for respondents No. 1 to 4.

Ms Kiangthe, Advocate, present for respondents No. 5, 6 and 7.

Learned counsel for the respondents pray for and are allowed four weeks' time to file counter affidavits to the affidavit filed with the delay condonation application.

List after four weeks for orders on delay condonation application (Misc. Case 273 of 13).

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
30.10.13

MC No. 335 of 13  
IN WP(C)No. 180 of 12

30.10.2013

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

Shri B Bhattacharjee, Advocate, present for the  
applicants.

Applicants have moved this application seeking  
impleadment in the WP(C)No. 180 of 2012.

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

List after two weeks along with WP(C)No. 180 of  
2012.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
30.10.13



MC No. 336 of 2013  
IN WA No. 18 of 2005

30.10.2013

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

**ORAL: HON'BLE PRAFULLA C. PANT, CHIEF JUSTICE**

Shri VK Jindal, Sr. Advocate, assisted by Shri S Jindal, Advocate, present for respondent No. 1/applicant.

Shri ND Chullai, Sr. GA, present for the State respondents No. 2, 3 and 4.

Heard.

WA No. 18 of 2005 (YMCA vs Holy Mother of Aurobindo Ashram) was decided by this Court on 21.10.2013.

This application (Misc. Case No. 336 of 2013) has been moved on behalf of respondent No.1/application stating that the aforesaid judgment and order passed by this Court may be kept in abeyance to enable the applicant to file SLP before the Apex Court. In this connection, it is further stated that the respondent No. 1/applicant has received a letter dated 29.10.2013 from the appellant threatening to break portion of the existing wall of respondent No. 1/applicant by 30.10.2013. A copy of the said letter has been annexed at Annexure 2 to the affidavit filed with the application.

The counsel for the appellant is not present.

Learned counsel for the respondent No. 1/applicant submitted that an attempt was made to serve a copy of the application but it could not be served.

In the above facts and emergent circumstances, this Misc. Case is disposed of with the observation that the operation of the judgment and order dated 21.10.2013 passed by this Court on 21.10.2013 in WA No. 18 of 2005 shall be kept in abeyance till 10.11.2013 so as to enable the respondent No. 1/applicant to file SLP before the Apex Court as prayed for by him.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
30.10.13



Service Tax Appeal No. 3 of 13

30.10.2013

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

Shri DK Acharjee, Advocate, present for the  
appellant.

Smit T Yangi, Advocate, present for the  
respondents/Revenue.

Heard.

This Service Tax Appeal filed under Section 35G of  
the Central Excise Act, 1944 read with Section 83 of the  
Chapter V of the Finance Act, 1994 is directed against  
the order dated 27.11.2012/29.11.2012 passed by the  
Customs, Excise and Service Tax Appellate Tribunal,  
Eastern Zonal Bench, Kolkata, in SP-16/2011 and  
Service Tax Appeal No. 13/2011, whereby appeal has  
been dismissed.

Admit the appeal on substantial question of law at  
Serial No. (i) and (ii) mentioned in the memo of appeal.

List this appeal for final hearing in due course.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
30.10.13



WA No. 3 of 13

30.10.2013

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

Adjourned at the request of Shri B Laitmon,  
counsel for the respondents.

List on 18.11.2013 for final hearing.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
30.10.13

WA No. 4 of 13

30.10.2013

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

Adjourned at the request of Shri B Laitmon,  
counsel for the respondents.

List on 18.11.2013 for final hearing.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
30.10.13

WA No. 13 of 11

30.10.2013

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

Adjourned at the request of Shri SD Upadhaya,  
Advocate, holding brief for Shri PK Barman, counsel for  
the appellants.

List after four weeks for final hearing.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
30.10.13

WA No. 32 of 2013

30.10.2013

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

List this writ appeal after four weeks along with  
MC No. 273 of 2013 i.e. application for condonation of  
delay in filing the appeal.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
30.10.13



WA No. 34 of 10  
IN WP(C)No. 108 of 2006

30.10.2013

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

Passed over at the request of Shri HL Shangreiso,  
counsel for the appellants.

List on 01.11.2013.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
30.10.13

WA No. 43 of 11  
IN WP(C)No. 84 of 2003

30.10.2013

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

Adjourned at the request of Shri K Paul, counsel for  
the appellants.

List after two weeks.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
30.10.13

WP(C) No. 23 of 2011

30.10.2013

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

Shri HR Nath, Advocate, present for the writ petitioner.

Shri H Kharmih, Advocate, present for the State respondents.

This is an admitted writ petition in which counter affidavit has been filed on behalf of the respondents.

Learned counsel for the writ petitioner states that he does not want to file any rejoinder affidavit.

List this writ petition for final hearing on 11.11.2013.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
30.10.13

WP(C)No. 129 of 2011

30.10.2013

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

Adjourned at the request of Shri N Mozika, counsel  
for the writ petitioners.

List on 06.11.2013 for final hearing.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
30.10.13

WP(C)No. 180 of 12

30.10.2013

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

List after two weeks.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
30.10.13

WP(C)No. 317 of 2011

30.10.2013

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

Passed over at the request of Shri VK Jindal, Sr.  
counsel for the writ petitioner.

List on 01.11.2013.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
30.10.13

WP(C)No. 318 of 2011

30.10.2013

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

Passed over at the request of Shri VK Jindal, Sr.  
counsel for the writ petitioner.

List on 01.11.2013.

JUDGE  
(Hon'ble Mr Justice TNK Singh)

CHIEF JUSTICE

dev  
30.10.13