WP(C) No. 213 of 2014

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

04-02-2015

Mr. S. Dey, learned Advocate, appears for the petitioner.

Mr. KS Kynjing, learned AG, assisted by Ms. NG Shylla, learned GA, represents the State respondents.

Learned AG prays for and is granted further 3(three) weeks' time to do the needful in terms of our earlier orders with particular reference to order dated 03-12-2014. List on 25-02-2015.

JUDGE **CHIEF JUSTICE (ACTING)**

S.Rynjah

W.A. No. 55 of 2014

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR. JUSTICE S.R. SEN

04.02.2015

On request made by learned counsel for the respondent, Ms. A.P. Kharsohnoh appearing on behalf of Mr. A.H. Hazarika, learned Advocate on record, list this matter on *09.02.2015.*

JUDGE **CHIEF JUSTICE (ACTING)**

D. Nary

BEFORE

THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE SR SEN

04.02.2015

Mr S Dey, learned counsel, appears for the petitioner.

Mr KS Kynjing, learned Advocate General, assisted by Mr S Sen Gupta, learned GA, represents the respondents.

Learned Advocate General prays for and is granted one week's time to furnish a copy of petition for Special Leave to Appeal (Crl) No. 10015 of 2014.

List the matter on 12.02.2015.

JUDGE

CHIEF JUSTICE
(ACTING)

dev

BEFORE

THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE SR SEN

04.02.2015

Ms SG Momin, learned counsel, appears for the petitioner.

Mr KS Kynjing, learned Advocate General, assisted by Mr S Sen Gupta, learned GA, represents the respondents.

Learned Advocate General prays for and is granted one week's time to furnish a copy of petition for Special Leave to Appeal (Crl) No. 10015 of 2014.

List the matter on 12.02.2015.

JUDGE

CHIEF JUSTICE
(ACTING)

dev

WA No. 74 of 2014
WA No. 76 of 2014

BEFORE

THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE SR SEN

04.02.2015

Mr P Yobin, learned counsel, appears for the appellant.

Ms P Das, learned counsel, represents respondent No. 1.

Mr PN Nongbri, learned counsel, represents respondent No. 2 to 5.

Mr SM Suna, learned counsel, represents respondent No. 6.

Learned counsel for the appellant states that on account of wrong address of respondents service of notice in WA No. 76 of 2014 could not be effected. However, in WA No. 74 of 2014, all the respondents have entered appearance through their respective counsel.

Issue fresh notice in WA No. 76 of 2014 upon furnishing of latest and correct address.

List on 19.02.2015 along with WA No. 76 of 2014.

JUDGE CHIEF JUSTICE
(ACTING)

dev

WP(Crl) No. 6 of 2014

BEFORE

THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE SR SEN

04.02.2015

Mr S Dey, learned counsel, appears for the petitioner.

Mr KS Kynjing, learned Advocate General, assisted by Mr S Sen Gupta, learned GA, represents the respondents.

Learned Advocate General prays for and is granted one week's time to furnish a copy of petition for Special Leave to Appeal (Crl) No. 10015 of 2014.

List the matter on 12.02.2015.

JUDGE

CHIEF JUSTICE
(ACTING)

dev

BEFORE

THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE SR SEN

04.02.2015

Ms SG Momin, learned counsel, appears for the petitioner.

Mr KS Kynjing, learned Advocate General, assisted by Mr S Sen Gupta, learned GA, represents the respondents.

Learned Advocate General prays for and is granted one week's time to furnish a copy of petition for Special Leave to Appeal (Crl) No. 10015 of 2014.

List the matter on 12.02.2015.

JUDGE

CHIEF JUSTICE
(ACTING)

dev

BEFORE

THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE SR SEN

04.02.2015

Ms AP Kharsahnoh, learned counsel, appears for the petitioner.

Mr KS Kynjing, learned Advocate General, assisted by Mr S Sen Gupta, learned GA, represents the respondents.

Learned Advocate General prays for and is granted one week's time to furnish a copy of petition for Special Leave to Appeal (Crl) No. 10015 of 2014.

List the matter on 12.02.2015.

JUDGE

CHIEF JUSTICE
(ACTING)

dev

BEFORE

THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE SR SEN

04.02.2015

Ms SG Momin, learned counsel, appears for the petitioner.

Mr KS Kynjing, learned Advocate General, assisted by Mr S Sen Gupta, learned GA, represents the respondents.

Learned Advocate General prays for and is granted one week's time to furnish a copy of petition for Special Leave to Appeal (Crl) No. 10015 of 2014.

List the matter on 12.02.2015.

JUDGE

CHIEF JUSTICE
(ACTING)

dev

WP(Crl) No. 13 of 2013

BEFORE

THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE SR SEN

04.02.2015

Ms SG Momin, learned counsel, appears for the petitioner.

Mr KS Kynjing, learned Advocate General, assisted by Mr S Sen Gupta, learned GA, represents the respondents.

Learned Advocate General prays for and is granted one week's time to furnish a copy of petition for Special Leave to Appeal (Crl) No. 10015 of 2014.

List the matter on 12.02.2015.

JUDGE

CHIEF JUSTICE
(ACTING)

dev

BEFORE

THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE SR SEN

04.02.2015

Mr PT Sangma, learned counsel, appears for the petitioner.

Mr KS Kynjing, learned Advocate General, assisted by Mr S Sen Gupta, learned GA, represents the respondents.

Learned Advocate General prays for and is granted one week's time to furnish a copy of petition for Special Leave to Appeal (Crl) No. 10015 of 2014.

List the matter on 12.02.2015.

JUDGE

CHIEF JUSTICE
(ACTING)

dev

BEFORE

THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE SR SEN

04.02.2015

Mr S Dey, learned counsel, appears for the petitioner.

Mr KS Kynjing, learned Advocate General, assisted by Mr S Sen Gupta, learned GA, represents the respondents.

Learned Advocate General prays for and is granted one week's time to furnish a copy of petition for Special Leave to Appeal (Crl) No. 10015 of 2014.

List the matter on 12.02.2015.

JUDGE

CHIEF JUSTICE
(ACTING)

dev

WP(Crl) No. 15 of 2014

BEFORE

THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE SR SEN

04.02.2015

Mr SP Mahanta, learned senior counsel, appears for the petitioner.

Mr KS Kynjing, learned Advocate General, assisted by Mr S Sen Gupta, learned GA, represents the respondents.

Learned Advocate General prays for and is granted one week's time to furnish a copy of petition for Special Leave to Appeal (Crl) No. 10015 of 2014.

List the matter on 12.02.2015.

JUDGE

CHIEF JUSTICE
(ACTING)

dev

W.A. No. 37 of 2014

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR. JUSTICE S.R. SEN

04.02.2015

Learned counsel for the respondent, Mr. B.K. Deb Roy with the consent of Mr. K.S. Kynjing, learned Advocate General, prays for 2(two) weeks' time to argue the matter.

List this matter on *18.02.2015.*

JUDGE **CHIEF JUSTICE (ACTING)**

D. Nary

W.A. No. 52 of 2013

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR. JUSTICE S.R. SEN

04.02.2015

Learned counsel, Mr. L. Darlong with the consent of Mr. S.C. Shyam, learned Sr. Advocate, prays for 2(two) weeks' adjournment on the ground of personal difficulty of Mr. R. Jha, learned Advocate on record for respondent.

List this matter on *19.02.2015.*

JUDGE **CHIEF JUSTICE (ACTING)**

D. Nary

MC(WA) No. 5 of 2015

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

04-02-2015

Mr. HL Shangreiso, learned Advocate, appears for the respondents.

As the appellant in person is not present in the Court, in the interest of justice, the matter is adjourned with direction to list again.

JUDGE **CHIEF JUSTICE (ACTING)**

S.Rynjah

MC(WA) No. 88 of 2014

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

04-02-2015

Mr. N.Mozika, learned Advocate, appears for the applicant.

Mr. K.Paul, learned Advocate, represents the writ appellant.

Learned counsel for the appellant prays for and is granted 10 days' time to file reply to the affidavit filed by the respondent. List on 16-02-2015.

JUDGE **CHIEF JUSTICE (ACTING)**

S.Rynjah

MC[WP(C)] No. 325 of 2014
with MC[WP(C)] No.322 of 2014
in WP(C) No. 87 of 2013

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

04-02-2015

Mr. P. Baruah, learned Advocate, appears for the applicant/petitioner.

Mr. R Deb Nath, learned Advocate, represents the respondents-Union of India.

Heard learned counsel for parties and perused Miscellaneous application No. 325/2014 and Miscellaneous application No. 322/2014 in WP(C) No. 87/2014.

On due consideration, both the applications are allowed subject to the undertaking given by learned counsel for the petitioner to deposit an amount of ` 1000/- towards costs in the High Court Bar Association for purchase of books within a period of 10(ten) days. Both the Miscellaneous applications are thus disposed of.

JUDGE **CHIEF JUSTICE (ACTING)**

S.Rynjah

PIL. No. 3 of 2014

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

04-02-2015

Mr. N. Syngkon, learned Advocate, appears for the petitioner.

Mr. KS Kynjing, learned AG, assisted by Mr. S. Sen Gupta, learned GA, represents the State respondents.

Mr. LS Darnei, learned Advocate, has put in appearance for respondent No.4.

Mr. HS Thangkhiew, learned Sr. Advocate, assisted by Mr. N. Mozika, learned Advocate, registers his appearance for respondent No.5.

Mr. VGK Kynta, learned Sr. Advocate, is for respondent Nos. 6, 7, 8, 10,11 and 12 and, Mr. M. Sharma, learned Advocate, stands for respondent No.9.

We have heard learned counsel for parties and perused the records. Affidavits filed by respondents fail to address several important issues particularly the ones (i) that the office of MLA is a public office, and thus an MLA can be subjected to prosecution under the Prevention of Corruption Act, (ii) that the points raised herein may also relate to Articles 158, 173 and 191 of the Constitution, and that the State of Meghalaya is governed by the Sixth Schedule to the Constitution which provides for constitution of District Autonomous Councils and payment of salaries to its elected members from public exchequer. Thus, learned counsel for the respondents pray for and are granted further 4(four) weeks' time to file detailed supplementary affidavits.

List on 04-03-2015.

JUDGE **CHIEF JUSTICE (ACTING)**

S.Rynjah

WP(C) No. 87 of 2014

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

04-02-2015

Mr. P. Baruah, learned Advocate, appears for the petitioner.

Mr. R Deb Nath, learned Advocate, represents the respondents-Union of India.

In view of the order passed today in MC (WPC) No. 325/2014 and MC (WPC) No. 322 of 2014, the order of dismissing the writ petition in default and for want of prosecution is recalled and the petition is restored to original file. List the matter with connected WP(C). No. 123/2008, WP(C) No.124/2008, WP(C) No.126/2008 and WP(C) No. 133/2008 on 23-02-2015.

JUDGE **CHIEF JUSTICE (ACTING)**

S.Rynjah