

**BEFORE HON'BLE CHIEF JUSTICE U.N. SINGH
HON'BLE MR JUSTICE S.R. SEN**

13.05.2015

Mr. A.H. Hazarika, learned counsel appearing for the State Government states that, he is unaware of the order dated 26.03.2015 passed by this court. Instead of assisting the court with complete knowledge of the background, he starts arguing with "No No". Besides, he also insists upon a hearing being granted on a later date. In this background, we accept the request for adjournment for 2(two) weeks subject to payment of costs of Rs. 10,000/- (Rupees ten thousand) which shall be deposited in the Bank account of Directorate of Social Welfare, Government of Meghalaya, Shillong, and shall be spent towards the maintenance of Juvenile Homes, etc.

Let a copy of this order be issued to Mr. A.H. Hazarika, learned counsel for the State Government who has left the court in the midst of proceeding, for compliance.

The costs amount of Rs. 10,000/- (Rupees ten thousand) shall be deposited before the next date of hearing.

A copy of the order be also sent to the Chief Secretary, Government of Meghalaya, Shillong for information and necessary action.

List the matter on 27.05.2015.

JUDGE

CHIEF JUSTICE

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

13.05.2015

Mr R Deb Nath, learned CGC, appears for the applicants.

Ms R Dutta, learned counsel, represents the respondents.

Lt. Col. Sourav Charan is present in Court. He states that even before the filing of instant writ appeal by the Department, the proposal for compliance of Court's order was submitted so that the benefits as directed vide the judgment of learned single Judge dated 23.05.2014 in WP(C)No. 218 of 2015 could reach all the petitioners (respondents herein). The said judgment appears to be based on the judgment of Gauhati High Court passed in Writ Appeal No. 50 of 2011 on 22.09.2011 against which the Special Leave Petition (Civil) No. 6241 of 2012 by Assam Rifles was dismissed. Thus, the judgment of Gauhati High Court was implemented. According to Lt. Col. Sourav Charan, the amendment of the relevant rules and its notification are likely to take some more time since the amendment of recruitment rules would affect the entire force. Besides, the final authority in the matter is the Ministry of Home Affairs which generally takes decisions in such matters only in consultation with the Secretary, Department of Personnel and Training. Thus, on his request, we grant further two months' time with a note of caution that in case of non-compliance within the further extended period, the Secretaries of Ministry of Home Affairs (Government of India) and

the Department of Personnel and Training (Government of India) and also the Head of the parent organization namely, Assam Rifles may be proceeded against under the law of contempt.

Let this order be issued to the Assam Rifles for communication to the Secretaries concerned for information and compliance. List the matter in the first week of August, 2015.

JUDGE

CHIEF JUSTICE

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

13.05.2015

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Let this order be issued to the Assam Rifles for communication to the Secretaries concerned for information and compliance. List the matter in the first week of August, 2015.

JUDGE

CHIEF JUSTICE

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

13.05.2015

Mr KS Kynjing, learned Advocate General, assisted by Mr S Sen Gupta, learned GA, appears for the petitioners.

None appears for the respondents.

Learned Advocate General for the State of Meghalaya submits that there is an inadvertent typographical error in typing the date of the impugned judgment. It is also his submission that learned counsel Mr S Sen Gupta who has filed the writ petition was under the impression that the matter would be adjourned on the request, on the ground of typographical error. Therefore, he has not supplied the list of books required for hearing of the matter.

On the request of learned Advocate General, let this matter be listed tomorrow (14.05.2015).

JUDGE

CHIEF JUSTICE

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**BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH**

13.05.2015

Mr. G.S. Massar, learned senior counsel, represents the respondents.

Contemnor, Mr. Adelbert Nongrum is said to have been issuing statements against the order of learned Single Judge of the High Court namely, Hon'ble Mr. Justice S.R. Sen and despite being conveyed to exercise restraints he has gone to the Media with open challenge to the authority of the High Court. Such an attempt on the part of contemnor has lowered the dignity of the Court in the eye of general public and shaken the public faith in judicial institutions beyond repairs and redemption. Thus, we direct contemnor, Mr. Adelbert Nongrum to remain present in Court on Monday (18.05.2015). The Superintendent of Police, East Khasi Hills District shall ensure his appearance on the date fixed. We also restrain all the print and electronic media from publication as well as televising the statements of the contemnor, if any, made hereinafter.

The Registry shall place on record all the statements issued/made by the contemnor from time to time in connection with the impugned order after the matter has been remanded to this Court by the Hon'ble Supreme Court for consideration. Let a copy of this order be sent to State Information and Public Relations Department and also to all the print and electronic media for compliance. List this matter on 18.05.2015.

JUDGE

CHIEF JUSTICE

**BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH**

13.05.2015

Mr. R. Kar, learned counsel, appears for the appellants.

Mr. N.D. Chullai, learned senior GA, represents the respondents.

Learned counsel for parties pray for and is granted further 2 (two) weeks' time to prepare the case. List thereafter on 27.05.2015.

JUDGE

CHIEF JUSTICE

Sylvana

MC(WA) No. 12/2015

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

13.05.2015

Mr. L. Byrsad, learned counsel, appears for the applicants.

Mr. H.G. Baruah, learned counsel, represents the respondent.

Mr. N. Mozika, learned counsel for the appellant is on sanctioned leave. Thus, on request made on his behalf by Mr. L. Byrsad, learned counsel, for adjournment, let this matter be listed on 25.05.2015.

JUDGE

CHIEF JUSTICE

Sylvana

WA No. 2/2015
In WP(C) No. 363/2014

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

13.05.2015

Mr. GS Massar, learned Sr. counsel, assisted by Mr. R.Kharsyad, learned counsel appears for the appellants.

Mr. VGK Kynta, learned Sr. counsel, represents the respondents No. 5, 6 and 7.

Mr. GS Massar, learned Sr. counsel, informs the Court that the notice in terms of this Court's order has already been published in newspapers both in English as well as in Khasi vernacular. Shri. P.Nongbri, learned counsel has entered appearance on behalf of Jaintia Hills Autonomous District Council (JHADC). All the newly impleaded parties are given 2(two) weeks' time as a last opportunity to file their affidavits.

List the matter for hearing thereafter on 27.05.2015.

JUDGE

CHIEF JUSTICE

Sylvana

WP(C) No. 245/2013

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

13.05.2015

Mr. L. Byrsat, learned counsel, appears for the petitioner.

Mr. R. Deb Nath, learned CGC, represents the respondents.

Learned counsel for the petitioner, states that leading counsel, Mr. M. Chanda is indisposed. Thus, he prays for adjournment.

Let this matter be listed on 27.05.2015.

JUDGE

CHIEF JUSTICE

Sylvana

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

13.05.2015

Mr BK Deb Roy, learned counsel, appears for the applicant.

Mr K Paul, learned counsel, represents the respondents.

In terms of order dated 22.04.2015, affidavits have not been filed. On the request of Mr R Deb Nath, learned counsel, we grant further two weeks' time to do the needful, failing which, the Court may proceed without affidavits.

List on 27.05.2015.

JUDGE

CHIEF JUSTICE

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

13.05.2015

Mr SC Shyam, learned senior counsel, appears for the appellants.

Mr L Darlong, learned counsel, represents the respondent.

Learned counsel Mr L Darlong, appearing on behalf of Mr R Jha, learned counsel on record for respondent, prays for and is granted two weeks' time to prepare and argue the case as Mr R Jha, learned counsel, is said to be still in the midst of recovery after having suffered a serious accident. List on 28.05.2015.

JUDGE

CHIEF JUSTICE

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**BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH**

13.05.2015

Mr. M.F. Qureshi, learned counsel, appears for the appellant.

Mr. N.D. Chullai, learned senior GA, represents the respondents.

Mr. N.D. Chullai, learned senior GA, prays for further 2 (two) weeks' time to file the copies of Revision Petitions along with judgment of the High Court passed therein.

List the matter on 28.05.2015.

JUDGE

CHIEF JUSTICE

Sylvana

MC(WA) No. 36/2015
In W.A. No. 25/2014

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

13.05.2015

Mr. A. Khan, learned counsel, appears for the applicant/appellant.

Learned counsel for the applicant/appellant submits that the organization namely, Assam Rifles has decided to comply with the order after the writ appeal was dismissed by this Court. The matter has since been processed and some more time is required to complete the exercise, for, the process has to finally terminate with the approval of the Ministry of Home Affairs. In terms of request, we thus we grant 2 (two) months' time to do the needful. List the matter thereafter on 08.07.2015.

JUDGE

CHIEF JUSTICE

Sylvana