AB No.16 of 2015

B E F O R E

THE HON'BLE MR JUSTICE S R SEN

20.07.2015

Heard Mr KC Gautam, learned counsel for the petitioner who submits that the accused person is innocent and in no way involved in the instant case i.e. WPS Case No. 29(6) of 2015 under Sections 341/509/506 IPC read with Section 11(i)/12 of the POCSO Act. Learned counsel further contended that the accused is ready to cooperate with the investigation if he is enlarged on pre-arrest bail.

On the other hand, learned State counsel Mrs NG Shylla, strongly objected the bail, she also produced the CD before this Court. I.O.WPSI B Hajong, is present and submit that she needs the custody of the accused to investigate the case. Besides that, the accused person is absconding. After the incident she had made attempt to catch the accused for the purpose of interrogation but cannot find him. Neither his family members are cooperating to give his whereabouts.

After considering the rival submissions advanced by the learned counsels and on perusal of the CD placed before me, I could not gather sufficient material to justify that if pre-arrest bail is granted the investigation will not suffer. Besides, it is a regular phenomenon in our State that many offences have been committed under the POCSO Act. Hence, I am of the opinion that the IO should be given an opportunity to investigate thoroughly.

For the reasons discussed above, the pre-arrest bail is rejected and stand disposed of.

Court master is directed to return the CD along with a copy of this order to the State counsel.

JUDGE

dr

MAC APP No.1 of 2015

B E F O R E

THE HON'BLE MR JUSTICE S R SEN

20.07.2015

Heard Mr VK Jindal, learned senior counsel for the appellant.

Respondent's counsel seeks adjournment on the ground that they are not prepared to argue the matter today.

Mr VK Jindal, learned senior counsel, submits that he is going out of station for some personal work and prayed that the matter may be listed after four weeks. List the matter accordingly.

JUDGE

dr

MAC APP No.2 of 2015

B E F O R E

THE HON'BLE MR JUSTICE S R SEN

20.07.2015

Heard Mr VK Jindal, learned senior counsel for the appellant.

Respondent's counsel seeks adjournment on the ground that they are not prepared to argue the matter today.

Mr VK Jindal, learned senior counsel, submits that he is going out of station for some personal work and prayed that the matter may be listed after four weeks. List the matter accordingly.

JUDGE

dr

MAC APP No.3 of 2015

B E F O R E

THE HON'BLE MR JUSTICE S R SEN

20.07.2015

Heard Mr VK Jindal, learned senior counsel for the appellant.

Respondent's counsel seeks adjournment on the ground that they are not prepared to argue the matter today.

Mr VK Jindal, learned senior counsel, submits that he is going out of station for some personal work and prayed that the matter may be listed after four weeks. List the matter accordingly.

JUDGE

dr

WP(C) No.3 of 2015

B E F O R E

THE HON'BLE MR JUSTICE S R SEN

20.07.2015

Heard Mr L Shongwan, learned counsel for the petitioner who seeks further two weeks' time to file rejoinder affidavit.

Prayer is allowed.

Mr S Dey, learned counsel for the respondents is present

List this matter after two weeks for rejoinder affidavit and further order.

JUDGE

dr

WP(C) No.52 of 2015

B E F O R E

THE HON'BLE MR JUSTICE S R SEN

20.07.2015

Mr L Khyriem and Miss PS Nongbri, learned counsels for the respondents submit that the matter has become infructuous as the matter has been settled by the parties. However, Miss R Paul, learned counsel for the petitioner submits that till now she has no instructions and seeks two days time to get instruction.

List the matter after two days.

JUDGE

dr

WP(C) No.53 of 2015

B E F O R E

THE HON'BLE MR JUSTICE S R SEN

20.07.2015

Heard Mr HG Baruah, learned counsel for the petitioner.

From the record it appears that counter affidavit has not been filed by the respondents. Respondents are directed to file counter affidavit within a week.

List this matter after a week for counter affidavit and further order.

JUDGE

dr

WP(C) No.54 of 2015

B E F O R E

THE HON'BLE MR JUSTICE S R SEN

20.07.2015

Heard Mr HG Baruah, learned counsel for the petitioner.

From the record it appears that counter affidavit has not been filed by the respondents. Respondents are directed to file counter affidavit within a week.

List this matter after a week for counter affidavit and further order.

JUDGE

dr

WP(C) No.76 of 2015

B E F O R E

THE HON'BLE MR JUSTICE S R SEN

20.07.2015

Heard Mr L Shongwan, learned counsel for the petitioner.

Mr AH Hazarika, Mr P Luikham and Mr JM Thangkhiew, learned counsels for the respondents, are directed to file their counter affidavits within two weeks.

List the matter after two weeks for counter affidavit and further order.

JUDGE

dr

WP(C) No.249 of 2013

B E F O R E

THE HON'BLE MR JUSTICE S R SEN

20.07.2015

Heard Mr K Sunar, learned counsel for the petitioner who seeks further time to file rejoinder affidavit.

One weeks' time is granted.

List this matter after one week for rejoinder affidavit and further order.

JUDGE

dr

WP(C) No.287 of 2014

B E F O R E

THE HON'BLE MR JUSTICE S R SEN

20.07.2015

Heard Ms. R Paul, learned counsel for the petitioner who seeks further two weeks' time to file rejoinder affidavit.

One week's time is granted as a last chance.

Mr B Khyriem, learned counsel for the private respondents 9 to 14 is present. State counsel is absent.

List the matter after one week for rejoinder affidavit and further order.

JUDGE

dr

WP(C) No.297 of 2013

B E F O R E

THE HON'BLE MR JUSTICE S R SEN

20.07.2015

Heard Mr H Bazbaruah, learned counsel for the petitioner.

From the record it appears that cost of One Thousand Rupees is deposited with the Registry.

List this matter for hearing after two weeks.

JUDGE

dr

WP(C) No.22 of 2015

B E F O R E

THE HON'BLE MR JUSTICE S R SEN

20.07.2015

On request made by Mr H Bezbarua, learned counsel for the petitioner, two weeks' time is granted to file rejoinder affidavit.

List this matter after two weeks for rejoinder and further order.

JUDGE

dr

WP(C) No.63 of 2015

B E F O R E

THE HON'BLE MR JUSTICE S R SEN

20.07.2015

Heard Ms. AR Nath, learned counsel for the petitioner.

Counter affidavit, on behalf of respondent No.9 has been filed.

Mr R Deb Nath, Mr WS Gayang and Mr AH Hazarika, learned counsel for the respondents seek further two weeks' time to file counter affidavit.

Prayer is allowed.

List this matter after two weeks for counter affidavit and further order.

JUDGE

dr

WP(C) No.88 of 2015

B E F O R E

THE HON'BLE MR JUSTICE S R SEN

20.07.2015

Heard Mr HG Baruah, learned counsel for the petitioner who submits that he is ready with the rejoinder affidavit and will file it within the course of the day.

Mr N Mozika, learned CGC, has already filed counter affidavit.

List the matter after two weeks for rejoinder affidavit and further order.

JUDGE

dr

WP(C) No.138 of 2015

B E F O R E

THE HON'BLE MR JUSTICE S R SEN

20.07.2015

Heard Mr S Dey, learned counsel for the petitioner.

From the record it appears that no service report against respondent Nos. 7 and 8 are available.

Await service report or otherwise petitioner's counsel may enquire from the GPO, Shillong, about the status report and file the same by way of a supporting affidavit.

State respondents to file their respective affidavits.

List the matter after two weeks for service report, counter affidavit and further order.

JUDGE

dr

WP(C) No.139 of 2015

B E F O R E

THE HON'BLE MR JUSTICE S R SEN

20.07.2015

Heard A Khan, learned counsel for the petitioner.

Mr AH Hazarika, learned State counsel, seeks two weeks' time to file counter affidavit.

From the record it appears that notice had already been issued against the respondent No.5.

Petitioner's counsel is directed to enquire from the GPO about the status of the service and file the same by way of supporting affidavit.

List the matter after two weeks for counter affidavit, service report and further order.

JUDGE

dr

WP(C) No.266 of 2013

B E F O R E

THE HON'BLE MR JUSTICE S R SEN

20.07.2015

On the request of Miss S Challam, learned counsel, matter is adjourned for two weeks on the ground that the conducting counsel Mr M Chanda, could not come from Guwahati.

Mr A Khan, previous counsel for the Union of India, submits that the file has been withdrawn from him and given to Mr K Paul, learned CGC.

Mr K Paul, learned CGC is directed to be present on the next date fixed.

JUDGE

dr

WP(C) No.75 of 2015

B E F O R E

THE HON'BLE MR JUSTICE S R SEN

20.07.2015

Heard Mr L Shongwan, learned counsel for the petitioner.

Mr AH Hazarika, Mr P Luikham and Mr JM Thangkhiew, learned counsels for the respondents, are directed to file their counter affidavits within two weeks.

List the matter after two weeks for counter affidavit and further order.

JUDGE

dr