

BEFORE
HON'BLE MR JUSTICE SR SEN
AB No. 31 of 2014

21.08.2014

List this matter on 26.08.2014 as prayed for by Mr. R Gurung, the learned State counsel on the ground he needs some discussion with the IO concerned.

Prayer is allowed.

Ms PS Nongbri, the learned counsel for the petitioner is present.

JUDGE

V Lyndem

BEFORE
HON'BLE MR JUSTICE SR SEN
CONT. CAS(C) No. 17 of 2014

21.08.2014

Heard Mr. HS Thangkhiew, the learned senior counsel assisted by Mr. P Nongbri, the learned counsel for the petitioner.

Issue notice to the respondents.

Notice is made returnable within 2(two) weeks.

Further, petitioner's counsel is directed to take necessary steps to serve notice upon the respondents within 3(three) days.

List this matter after 2(two) weeks for service report and further order.

JUDGE

V Lyndem

BEFORE
HON'BLE MR JUSTICE SR SEN
CONT. CAS(C) No. 36 of 2012

21.08.2014

Heard Ms L Khiangte, the learned counsel for the petitioner who submits that, she has already served notice upon the respondents by way of dasti, however, none appears for on behalf of the respondents contemnor.

The learned counsel for the petitioner is directed to submit an affidavit pertaining to dasti service of notice served upon the respondents on the next date fixed.

Mr. R Gurung, the learned GA is present in connection with other cases and he is directed to see that whether any notice has been received by the Government and to take necessary steps accordingly.

List this matter after 1(one) week.

JUDGE

V Lyndem

BEFORE
HON'BLE MR JUSTICE SR SEN
CRL. PETN. No. 20 of 2014

21.08.2014

Heard Mr. BK Singh, the learned counsel for the petitioner who submits that, vide order 16.01.2014 the learned Chief Judicial Magistrate, Shillong opined at Para-11, "*unless the admitted documents, specimen signatures and handwriting of the concerned persons, and the comprehensive FSL report are placed on record of the court, it is not possible to form any opinion from the said FSL report with regard to the different signature.*" The learned counsel further contended that, the matter has already been delayed for quite sometime and certain petitions have already been moved before the learned Chief Judicial Magistrate which are still pending.

Also heard Mr. R Gurung, the learned State counsel.

After hearing the submissions advanced by the learned counsel, I am of the view that the learned Chief Judicial Magistrate has got ample power to call all the relevant documents etc required for fair decision for which interference of the Court is not necessary at this stage.

The learned Chief Judicial Magistrate, Shillong is at liberty to call all the reports and documents if necessary from the concerned authorities for fair decision.

Further, the learned Chief Judicial Magistrate is directed to dispose of this matter within 4(four) months from the date of this order.

It is also further observed that, no court can pass any order or compel the IO to file final form, it is the prerogative of the IO whether the case will end by charge-sheet or by FR.

Registry is also directed to forward a copy of this order to the learned Chief Judicial Magistrate, Shillong for compliance.

With these observations and directions, this instant petition is allowed to that extent and the matter stands disposed of.

JUDGE

V Lyndem

BEFORE
HON'BLE MR JUSTICE SR SEN
EL. PET. No. 1 of 2013

21.08.2014

Heard Mr. GS Massar, the learned senior counsel assisted by Mr. LS Darnei, the learned counsel for respondent No. 1.

Also heard Mr. GA Dkhar, the learned counsel appearing for respondent No. 3 as well as Ms L Warjri, the learned counsel for the petitioner.

The learned counsel submit at bar that, materials sent by the Election Department are sealed; therefore, it is necessary to open in the Court Room only.

The petitioner's counsel is directed to submit list of documents or any other materials exhibits which have been called for examination so that they can be brought from strong room. Further, the learned counsel for the petitioner is also directed to submit the list by 26.08.2014.

List this matter on 26.08.2014 for list of documents intended to be examined and for further order.

JUDGE

V Lyndem

BEFORE
HON'BLE MR JUSTICE SR SEN
MC(WPC) No. 149 of 2014

21.08.2014

Heard Mr. DK Acharya, the learned counsel who informed that, Mr. R Debnath, the learned CGC is not keeping well, so he is unable to appear before the Court today and prayed for adjournment.

Ms P Das, the learned counsel for the petitioner is present.

List this matter after 4(four) weeks as prayed for by the learned counsel.

JUDGE

V Lyndem

BEFORE
HON'BLE MR JUSTICE SR SEN
WP(C) No. 114 of 2008

21.08.2014

Heard Mr. PK Borah, the learned counsel for the petitioner as well as Mr. SC Shyam, the learned senior counsel for the respondents.

Judgment & Order reserved.

JUDGE

V Lyndem

BEFORE
HON'BLE MR JUSTICE SR SEN
WP(Crl.) No. 5 of 2014

21.08.2014

Heard Mr. SP Mahanta, the learned senior counsel for on behalf of the petitioner.

Also heard Mr. R Gurung, the learned GA who submits that, Mr. S Sen Gupta, the learned State counsel is not prepared with the case and sought for 1(one) week's time.

After hearing the submissions advanced by the learned counsel at bar, I am of the view that since this matter is relating to habeas corpus, longer date cannot be granted.

List this matter on 25.08.2014.

JUDGE

V Lyndem