

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

27.05.2015

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

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

On joint request, let this matter be listed after one week to prepare and argue the case.

List on 03.06.2015.

JUDGE

CHIEF JUSTICE

dev

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

27.05.2015

Mr SC Shyam, learned counsel, appears for the applicants.

Mr L Byrsat, learned counsel, represents the respondent.

This misc. case is filed for recalling the order dated 15.05.2015 dismissing WP(C)No. 113 of 2015 in default and for want of prosecution.

On due consideration, the application is allowed and the order dated 15.05.2015 is recalled. Thus, WP(C)No. 113 of 2015 shall stand restored to its original number and its status.

This, Misc. application stands disposed of.

JUDGE

CHIEF JUSTICE

dev

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

27.05.2015

Learned counsel, Mr. K. Paul and Mr. J.M. Thangkhiew, appearing for the petitioner are not present in Court.

Mr. N.D. Chullai, learned senior GA, assisted by Mr. S.Sen Gupta, learned GA, represents respondents No. 1, 2 & 4.

Mr. S.P. Mahanta, learned senior counsel, represents respondent No. 3.

Mr. V.G.K. Kynta, learned senior counsel, is for respondents No. 25 and 28.

Mr. H.S. Thangkhiew, learned senior counsel, represents respondents No. 6, 10, 14, 15, 17, 18 and 22.

Mr. S. Chakravarty, learned counsel, is for respondents No. 7, 8, 11 and 19.

Mr. B.K. Das, learned counsel, is present for respondent No. 9.

Mr. L. Lyngdoh, learned counsel, appears for respondent No. 24.

Mr. B. Bhattacharjee, learned counsel, represents respondents No. 23 and 26.

Learned counsel for the respondents including MUDA, informs the Court that so far as 24 (twenty four) buildings with more than G + 3 apart from other violations have been identified as provided in the report of the Committee.

In fact, we want to identify all such buildings across the State, but for the present we may start with Shillong. Learned senior counsel, Mr. H.S. Thangkhiew, states that he has received the latest report from the Committee only two days back, and therefore, he could not get time to prepare the case. Although we had granted time vide the last order dated 20.05.2015 to complete the pleadings including objection so that the matter can be proceeded for hearing on merit but still the pleadings are yet to be completed. Thus, sufficient opportunity has already

been granted to the parties but every time the matter is being adjourned on one ground or the other.

We thus take a serious view and issue notice of caution to learned counsel, for the petitioner that in case, he is casual in appearance in this matter, the Court may consider to appoint somebody else as Amicus Curiae and may send the matter to the Bar Council of India for taking appropriate action. As a last opportunity, we grant 2 (two) weeks' time to learned counsel for parties to complete the pleadings so that the Court is in a position to start the final hearing of the case. List the matter on 10.06.2015.

JUDGE

CHIEF JUSTICE

Sylvana

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

27.05.2015

Mr GA Dkhar, learned counsel, appears for the appellant.

Mr MF Qureshi, learned counsel, represents respondent No.

3.

Learned counsel for respondent No. 3 prays for and is granted further one week's time to file application for review of the order passed by this court in Misc. Case (WA) No. 29 of 2015 on 14.04.2015.

List on 03.06.2015.

JUDGE

CHIEF JUSTICE

dev

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

27.05.2015

Learned counsel, Mr. K. Paul and Mr. J.M. Thangkhiew, appearing for the petitioner are not present in Court.

Mr. N.D. Chullai, learned senior GA, assisted by Mr. S.Sen Gupta, learned GA, represents respondents No. 1, 2 & 4.

Mr. S.P. Mahanta, learned senior counsel, represents respondent No. 3.

Mr. V.G.K. Kynta, learned senior counsel, is for respondents No. 25 and 28.

Mr. H.S. Thangkhiew, learned senior counsel, represents respondents No. 6, 10, 14, 15, 17, 18 and 22.

Mr. S. Chakravarty, learned counsel, is for respondents No. 7, 8, 11 and 19.

Mr. B.K. Das, learned counsel, is present for respondent No. 9.

Mr. L. Lyngdoh, learned counsel, appears for respondent No. 24.

Mr. B. Bhattacharjee, learned counsel, represents respondents No. 23 and 26.

Learned counsel for the respondents including MUDA, informs the Court that so far as 24 (twenty four) buildings with more than G + 3 apart from other violations have been identified as provided in the report of the Committee.

In fact, we want to identify all such buildings across the State, but for the present we may start with Shillong. Learned senior counsel, Mr. H.S. Thangkhiew, states that he has received the latest report from the Committee only two days back, and therefore, he could not get time to prepare the case. Although we had granted time vide the last order dated 20.05.2015 to complete the pleadings including objection so that the matter can be proceeded for hearing on merit but still the pleadings are yet to be completed. Thus, sufficient opportunity has already

been granted to the parties but every time the matter is being adjourned on one ground or the other.

We thus take a serious view and issue notice of caution to learned counsel, for the petitioner that in case, he is casual in appearance in this matter, the Court may consider to appoint somebody else as Amicus Curiae and may send the matter to the Bar Council of India for taking appropriate action. As a last opportunity, we grant 2 (two) weeks' time to learned counsel for parties to complete the pleadings so that the Court is in a position to start the final hearing of the case. List the matter on 10.06.2015.

JUDGE

CHIEF JUSTICE

Sylvana