

GAHC040013722022



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : WA/37/2022

Chokia Pordung
Executive Engineer, Pasighat Municipal Council, Govt. of Arunachal Pradesh. PO
and PS Pasighat, District East Siang, Arunachal Pradesh .Mobile No 9862591665

VERSUS

1:Tadar Tarang and 3 Ors. S/o Late Tadar Tajik, Presently serving as Executive Engineer in Directorate of Urban Local Bodies, Itanagar, Papum Pare District, Arunachal Pradesh. Contact No. 879402667

2:THE STATE OF AP Represented by the Chief Secretary Govt. of Arunachal Pradesh Itanagar.

3:The Secretary Department of Town Planning and Urban Local Bodies Govt. of Arunachal Pradesh Itanagar.

4:The Director Department of Urban Local Bodies Govt. of Arunachal Pradesh Itanagar

Advocate for the Petitioner : Pritam Taffo, Minter Karbak, V Dolo

Advocate for the Respondent : GA(AP), R Saikia, L Nochi, L. Bam,
B. Taipodia, I. Bam

**BEFORE
HONBLE MR. JUSTICE ARUN DEV CHOUDHURY
HONBLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 14-11-2023

(Kardak Ete, J.)

Heard Ms. M. Karbak, learned counsel for the appellant. Also heard Mr. R. Saikia, learned counsel for the respondent no. 1 and Mr. I. Riram, learned Additional Senior Government Advocate for the respondents no. 2, 3 & 4.

2. This intra Court appeal is directed against the impugned interim order dated 19.09.2022, passed by the learned Single Judge in WP(C)296/(AP)2022, whereby the order dated 12.07.2022 appointing the appellant/respondent no. 4 as Municipal Executive Engineer, Pasighat Municipal Council for a period of 3 (three) years was stayed.

3. This Court on 15.11.2022 while issuing notice had stayed the order dated 19.09.2022, passed by the learned Single Judge in the writ petition (supra) till the next returnable date. On 01.05.2023, the *ad-interim* order dated 15.11.2022 had been allowed to be continued till the disposal of the appeal.

4. The respondent no. 1/writ petitioner had filed an interlocutory application (C) No. 34/2023, seeking modification/alteration/vacation of the interim order dated 15.11.2022, passed by this Court in the writ appeal.

5. On 06.09.2023, this Court after considering the submissions made by the learned counsel for the parties has observed as follows:-

“...6. Having regard to the above development and considering the issue involved, we are of the considered view that instead of considering the instant application, the rival parties should complete their respective pleadings before the writ Court so that the writ petition can be heard on

merit and decided expeditiously. The learned counsels appearing for the rival parties today have also undertaken to file their respective pleadings within 2 (two) weeks from today. Further, if the State respondents are unable to file their counter affidavit within two weeks, they shall produce the relevant records of the case for consideration by the writ Court.

6. The interlocutory application (supra) has been disposed of with an observation that it will be open for the parties to raise their respective pleas before the learned Single Judge as and when the matter is being considered.

7. Having considered the submission of the learned counsels for the parties and considering the orders passed by this Court as noted above and as agreed to by the learned counsel for the parties, this intra Court appeal is disposed of with a direction to the learned counsels for the parties to complete their respective pleadings before the writ court, if not done already, so that the writ petition can be heard on merit and decided expeditiously.

8. The writ appeal stands closed and disposed of.

JUDGE

JUDGE

Comparing Assistant