

GAHC040013672023



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

Case No. : IA(C)/169/2023

Taba Bishnu
Mandal President 15th Sagalee BJP Unit, resident of village-Rachi, Papum Pare
District, Arunachal Pradesh.

VERSUS

Shri Chukhu Bablu and 15 Ors.
Shri Chukhu Bablu, ZPM XVI Gumto Zilla Parishad Constituency, Papum Pare
District, Arunachal Pradesh, S/o of Chukhu Loma, resident of village Gumto-I, PO/PS
Doimukh, Papum Pare District, Arunachal Pradesh, Mobile No. 9436844444
2:Techi Necha
Age: 52
Occupation :

3:THE STATE OF AP
Age: 0
Occupation :

4:The Deputy Commissioner
Age: 0
Occupation :

5:The ADC cum Member Secretary
Age: 0
Occupation :

6:Smti Nabam Yakum
Age: 0
Occupation :

7:Bamang Yuyu

Age: 0

Occupation :

8:Hina Camdir Tok

Age: 0

Occupation :

9:Tem Pika

Age: 0

Occupation :

10:Tem Yaba

Age: 0

Occupation :

11:Smti Nabam Yajar

Age: 0

Occupation :

12:Nabam Tagi

Age: 0

Occupation :

13:Techi Niya

Age: 0

Occupation :

14:Tai Sangte

Age: 0

Occupation :

15:Taba Ram

Age: 0

Occupation :

16:Techi Serbang

Age: 0
Occupation

Advocate for the Petitioner : Adam Tatak

Advocate for the Respondent : GA (AP)

Linked Case : WP(C)/243/2023

Chukhu Bablu and Anr.

Age: 40

Occupation :

Address:ZPM XVI Gumto Zilla Parishad Constituency

Papum Pare District

Arunachal Pradesh

Son of Chukhu Loma

Resident of Village Gumto I

PO Doimukh

PS Doimukh

Papum Pare District

Arunachal Pradesh

Mobile No. 9436844444.

2: Techhi Necha

Age: 52

Occupation :

Address:Member

Disciplinary Action Committee

Bharatiya Janta Party (BJP)

Itanagar

Arunachal Pradesh

Son of Late Techhi Kaha

PO RK Mission

PS Chimpur

Papum Pare District

Arunachal Pradesh.

Mobile No. 9436059866

VERSUS

THE STATE OF AP and 14 Ors.

Age: 0

Occupation :

Address:Through the Secretary

Department of Panchayat Raj
Govt. of Arunachal Pradesh
Itanagar.

2:The Deputy Commissioner

Age: 0

Occupation :

Address:Yupia

District Papum Pare

Arunachal Pradesh.

3:The ADC cum Member Secretary

Age: 0

Occupation :

Address:Zilla Parishad

Yupia

District Papum Pare

Arunachal Pradesh.

4:Nabam Yakum

Age: 0

Occupation :

Address:ZPM XIV Parang Zilla Parishad Constituency

Papum Pare District and wife of Nabam Tadap

Resident of Village Parang III

Sagalee

Papum Pare District

Arunachal Pradesh.

5:Bamang Yuyu

Age: 0

Occupation :

Address:ZPM III Kimin Zilla Parishad Constituency Papum Pare District and wife of
Shri Bamang Mangha

Resident of Villlage Kimin Model Village

KImin

Papum Pare District

Arunachal Pradesh.

6:Hina Camdir Tok

Age: 0

Occupation :

Address:ZPM IV Upper Balijan Zilla Parishad Constituency

Papum Pare District and son of Topu Tok

Resident of Basarnalo Village

PO/PS Balijan Papum Pare District

Arunachal Pradesh.

7:Tem Pika

Age: 0

Occupation :

Address:ZPM V Lower Balijan Parishad Constituency

Papum Pare District and wife of Tem Kaya

Resident of Kochubari Village

PO/PS Balijan

Papum Pare District

Arunachal Pradesh.

8:Tem Yaba

Age: 0

Occupation :

Address:ZPM VI Taraso Zilla Parishad Constituency Papum Pare District

wife of Shri Tem Tatik

Resident of Village Kochubari

Balijan

Papum Pare District

Arunachal Pradesh.

9:Nabam Yajar

Age: 0

Occupation :

Address:ZPM VIII Mengio Zilla Parishad Constituency

Papum Pare District

Wife of Nabam Hari

Resident of Village Tacha Mengio

Sagalee Cicle

Papum Pare District

Arunachal Pradesh.

10:Nabam Tagi

Age: 0

Occupation :

Address:ZPM IX Leporiang Zilla Parishad Constituency

Papum Pare District and son of Nabam Soha

Presently residing at B Sector

Naharlagun

Papum Pare District

Arunachal Pradesh.

11:Techi Niya

Age: 0

Occupation :

Address:ZPM XV Silsango Zilla Parishad Constituency

Papum Pare District and Resident of Nyopang 1

Silsango Circle
Papum Pare District
Arunachal Pradesh.

12: Tai Sangte
Age: 0
Occupation :
Address: ZPM XVI Kakoi Zilla Parishad Constituency
Papum Pare District
Arunachal Pradesh.

13: Taba Rama
Age: 0
Occupation :
Address: X Toru ZPM Constituency
Papum Pare District and son of Taba Gomb
resident of Mepsoro
Toru
Sagalee
Papum Pare District
Arunachal Pradesh.

14: Techhi Serbang
Age: 0
Occupation :
Address: VII Sagalee ZPM Constituency
Papum Pare District and son of Techhi Taram
resident of Pang
Sagalee
Papum Pare District
Arunachal Pradesh.

15: Taba Bishnu
Age: 0
Occupation :
Address: Mandal President 16th Sagalee BJP Unit
Resident of Village Rachi Papum Pare District
Arunachal Pradesh.

Advocate for : Puto Bui
Advocate for : GA (AP) appearing for THE STATE OF AP and 14 Ors.: Advocate ,

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**BEFORE
HONBLE MR. JUSTICE S.K.MEDHI**

ORDER

24.01.2024

Pursuant to the order passed on 22.01.2024, the respondent no. 5, who is the applicant in the IA, Shri Taba Bishnu has appeared in person. He has reiterated that though the record of the case contains a Vakalanama containing his signature as well as an affidavit filed by the earlier set of counsel in the connected WP(C)/243(AP)/2023, he had never authorized to file such Vakalatnama or affidavit and same is not his version and he has simply put his signature as instructed by the petitioner.

2. The instant IA has accordingly been filed to allow him to withdraw the said affidavit and grant liberty to file a fresh affidavit which will contain his version / stand in the case.

3. Heard Shri A. Tatak, learned counsel representing the respondent no. 15, who has filed the present IA. Shri T. Taluk, learned counsel, who has earlier appeared for the respondent no. 15 as well as Shri P. Bui, learned counsel (writ petitioner), who is a opposite party in the IA.

4. In view of the aforesaid submissions, this Court is of the opinion that without going into the aspect which may affect the dignity as well as the role of the counsel, this Court allows this I.A.

5. Accordingly, the affidavit-in-opposition of the applicant / respondent no. 15 which was stated to have been filed on 28.07.2023 in WP(C)/243(AP)/2023 stands withdrawn. The said applicant / respondent no. 15 may accordingly file a fresh affidavit in the writ petition for which 2(two) weeks' time is granted.

6. I.A. accordingly stands disposed of.

7. List the WP(C)/243(AP)/2023 after 2(two) weeks.

JUDGE

Comparing Assistant