

GAHC010004122024



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

Case No. : WA/6/2024

RAMU WELLY
S/O SHRI NOBO WELLY,
VILL.- DIPIK,
P.O. AND P.S.- SEIJOSA, DIST.- PAKKE KESSANG, ARUNACHAL PRADESH.

VERSUS

THE STATE OF ARUNACHAL PRADESH AND 3 ORS.
REP. BY THE COMMISSIONER (URBAN AFFAIRS) GOVT. OF ARUNACHAL
PRADESH, URBAN DEVELOPMENT AND HOUSING DEPTT., P.O. AND P.S.-
ITANAGAR, PIN- 781111.

2:THE CHIEF ENGINEER
URBAN DEVELOPMENT DEPTT.
ITANAGAR
P.O. AND P.S.- ITANAGAR
PIN- 781111.

3:ROKPO TAMIN
SUPERINTENDING ENGINEER (ADMINISTRATION AND ESTABLISHMENT
AND FIELD WORKS/CONTROLLING OF ALL DIVISIONS.) C/O CHIEF
ENGINEER OFFICE
URBAN DEVELOPMENT DEPTT.
ITANAGAR
P.O. AND P.S.- ITANAGAR
PIN- 781111.

4:HIMMAR ETE
SUPERINTENDING ENGINEER

C/O CHIEF ENGINEER OFFICE
URBAN DEVELOPMENT

ITANAGAR
P.O. AND P.S.- ITANAGAR
PIN- 781111

Advocate for the Petitioner : MR. J JINI

Advocate for the Respondent : GA, AP

BEFORE
HONOURABLE MR. JUSTICE LANUSUNGKUM JAMIR
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 29.04.2024

(Suman Shyam, J)

Heard Mr. D, Mazumdar, learned Senior counsel assisted by Mr. C. Gogoi, learned counsel for the appellant. Also heard Mr. N. N. B. Choudhury, learned Addl. Advocate General, Arunachal Pradesh for the respondent Nos. 1 and 2 and Mr. J. Patowary, learned counsel for the respondent No.3.

2. This writ appeal is arising out of order dated 15.12.2023 passed in WP(C)/607/2023, whereby, the learned Single Judge had declined interim relief as prayed for by the writ petitioner/appellant. Taking note of the facts and circumstance of the case, the Division Bench had passed order dated 29.01.2024 in this writ appeal granting interim relief to the appellant.

3. It is submitted at the bar that since the writ petition is pending disposal before the learned Single Judge and considering the nature of relief sought for in this appeal, they would have no objection if the order dated 29.01.2024 is made absolute and the appeal is disposed of with a direction to hear and dispose of the writ petition on merit expeditiously. It has also been pointed out

that the writ petition is pending in the Itanagar Permanent Bench of this Court.

4. Taking note of the submission made at the bar, we hereby provide that with the consent of the parties the order dated 29.012024 is made absolute till disposal of the writ petition.

5. Writ petition be heard and decided on merits expeditiously.

6. We further make it clear that since the order dated 29.01.2024 was passed for the limited purpose of granting interim relief, as prayed for by the appellant, the observations made in the said order would not have any bearing in the final hearing of the writ petition.

7. With the above observations and directions, this writ appeal stands disposed of.

JUDGE

JUDGE

Comparing Assistant