

GAHC010053152023



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

Case No. : Cont.Cas(C)/138/2023

VILIEBEI MERU
S/O- LATE PATRICK SOLO, R/O- VILL.- TOKBI, NAHORJAN, BLOCK-2, P.O.
AND P.S. DILLAI, PIN- 782480, DIST. KARBI ANGLONG, ASSAM

VERSUS

TENSING RONGPI
THE JOINT SECRETARY TO THE DEPARTMENT OF REVENUE, THE KARBI
AUTONOMOUS COUNCIL, DIPHU, KARBI ANGLONG, ASSAM, PIN- 782461.

Advocate for the Petitioner : MR. S C BISWAS, MRS. R RONGMEI, MS. S DEVI, MS. K L R
YANTHAN, MR. A ULLAH, MS. U NANDA

Advocate for the Respondent : MR J CHUTIYA, MR M S DEORI, MS. S KEMPRAI

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

10.09.2024.

Heard Ms. KLR Yanthan, learned counsel for the petitioner, who submits that on the last occasion i.e. 29.08.2024 though time was taken to file rejoinder, the same could not be done due to some inconvenience of the petitioner.

Shri J Chutia, learned counsel for the sole respondent has submitted that the

order dated 09.05.2022 passed in WP(C)/2828/2022 which is the subject matter of this contempt petition has been complied with and in this regard, he has referred to the additional-affidavit filed on 27.08.2024. In the said additional-affidavit, a Speaking Order dated 14.08.2024 has been annexed. It is submitted on behalf of the sole respondent that if at all the petitioner is aggrieved, a challenge in accordance with law has to be made and the question of any deliberate or willful disobedience will not arise.

Ms. Yanthan, learned counsel for the petitioner has, however, submitted that the order dated 14.08.2024 is erroneous as irrelevant factors have been taken into consideration.

Upon hearing, this Court is of the opinion that if the petitioner is aggrieved by the aforesaid Speaking Order dated 14.08.2024, the same has to be challenged in the manner prescribed in law. Since the said order has to be passed pursuant to the order dated 09.05.2022, *prima facie*, the aspect of willful and deliberate disobedience will not arise.

In view of the above, the contempt petition is closed, however, with liberty to the petitioner to challenge the speaking order in accordance with law, if so advised.

JUDGE

Comparing Assistant