

GAHC010113272024



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

Case No. : MC/37/2024

PRACHURJYA BORBORUAH
S/O SRI BIJON BORBORUAH, R/O HOUSE NO. 308, BELTOLA BASISTHA
ROAD, BELTOLA, GUWAHATI-781028, P.O.-BELTOLA, P.S.-HATIGAON, DIST-
KAMRUP (M), ASSAM

VERSUS

THE CHAIRMAN, THE BAR COUNCIL AND ANR
2ND FLOOR, GAUHATI HIGH COURT, GUWAHATI-781001

2:THE DIRECTOR GENERAL OF POLICE
ASSAM
ASSAM POLICE HEADQUARTERS
ULUBARI
GUWAHATI-781007

3:THE DIRECTOR GENERAL OF POLICE
NAGALAND
NAGALAND POLICE HEADQUARTERS
P.R. HILL
KOHIMA-797001
NAGALAND

4:THE DIRECTOR GENERAL OF POLICE
MIZORAM
MIZORAM POLICE HEADQUARTERS
KHATLA
AIZAWL
MIZORAM-796001

5:THE DIRECTOR GENERAL OF POLICE
ARUNACHAL PRADESH

ARUNACHAL PRADESH POLICE HEADQUARTER
CHANDRANAGAR
ITANAGAR-791111
ARUNACHAL PRADESH

Advocate for the Petitioner : MR P BORBORUAH

Advocate for the Respondent : SC, BAR COUNCIL

BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 25/06/2024
Vijay Bishnoi, CJ

Heard Mr. P. Borboruah, petitioner-in-person. We have also heard Mr. P.D. Nair, learned counsel appearing for respondent no.1; Ms. R.B. Bora, learned Government Advocate, Assam, appearing for respondent no. 2; Ms. T. Khro, learned AAG, Nagaland, appearing for respondent no. 3; Mr. A. Chandran, Addl. Sr. PP, Arunachal Pradesh, representing the respondent no. 5 and Ms. P. Bhattacharyya, learned AAG, Mizoram, representing the respondent no. 4.

MC No. 37/2024 is preferred on behalf of the applicant with the prayer to restore the PIL No. 63/2023 which came to be dismissed on default vide order dated 29/05/2024 as none had appeared on behalf of the petitioner.

The petitioner-in-person has submitted that he had failed to join the hearing on 29/05/2024 due to the situation arose on account of Cyclone Remel.

Having heard the petitioner-in-person, we are of the view that the reason for non-joining the hearing by the petitioner on 29/05/2024 seems to be genuine. But taking into consideration the fact that the prayers made in the PIL No. 63/2023, we are of the considered opinion that no such directions, as sought for by the petitioner in the PIL No. 63/2023, can be issued in the nature of

Mandamus to the respondents to the PIL.

At this stage, the petitioner-in-person has submitted that liberty be granted to him to raise all the issues which were raised in this PIL before the Bar Council for Assam as well as other respondents.

Liberty is granted. However, in view of the fact that we do not find any case for issuance of Mandamus on the basis of the grounds raised in the PIL No. 63/2023, no further order is required to be passed in the instant MC No. 37/2024.

MC stands disposed of.

JUDGE

CHIEF JUSTICE

sukhamay

Comparing Assistant