

GAHC010196142024



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

Case No. : I.A.(Civil)/2951/2024

UNION OF INDIA AND 2 ORS.
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA,
MINISTRY OF HOME AFFAIRS, NEW DELHI-110001

2: THE DIRECTOR GENERAL
ASSAM RIFLES
HEAD QUARTER
DIRECTORATE GENERAL ASSAM RIFLES
SHILLONG-11

3: THE COMMANDANT
42ND ASSAM RIFLES
C/O 99 APO
PIN-93204

VERSUS

JC-2900502L SUBEDAR/GD (GENERAL DUTY) RABI CHARAN DEB BARMA
S/O LT. N DEBBARMA PRESENTLY SERVING AS A SUBEDAR/GD GENERAL
DUTY IN THE 42ND ASSAM RIFLES C/O 99 APO PIN 932042

Advocate for the Petitioner : MS. B SARMA,

Advocate for the Respondent : MR. V KUMAR,

BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE

ORDER

Date : 25-10-2024

Heard Ms. B. Sharma, learned counsel for the applicants and also heard Mr. B. Pathak, learned counsel for the opposite-party/writ petitioner.

This is an application praying for seeking further time of 3 months for implementation of order of this Court dated 26.07.2024.

This Court vide order dated 26.07.2024 in WP(C) No. 2516 of 2023 has directed the respondent authorities/applicants to communicate the entry/remarks in the ACR to the opposite-party/petitioner within a period of 15 days from the date of the order so as to enable the opposite-party/petitioner to file a representation against such entry/remarks in the ACR. It has further observed that if the ACR is not communicated to the opposite-party/petitioner, the respondents shall ignore the un-communicated entry/remark in the ACR of the opposite-party/petitioner, if the petitioner is otherwise eligible to be considered for promotion to the post of Subedar Major/GD and his case shall be considered within a period of 15 days, thereafter, in accordance with law.

Ms. B. Sharma, learned CGC submits that the applicants/respondent authorities are in the process of compliance of the order of this Court. Therefore, at least 3 months time would be required to fully comply with the order and as such she prays that further 3 months time may be granted from the date of filing of this application.

Having considered the submissions made by the learned counsel for the applicant and the prayer not being objected by the learned counsel for the opposite-party/petitioner, I deem it appropriate to allow this application.

Accordingly, further 3 months time from the date of filing of this

application is granted to the applicant/respondent authorities for implementation of the order of this Court dated 26.07.2024 passed in WP(C) 2516/2023. It is made clear that on or before 16.12.2024 the applicants/respondent authorities shall comply with the order dated 26.07.2024.

The IA stands allowed and disposed of.

JUDGE

Comparing Assistant