

GAHC010208542019



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

Case No. : Cont.Cas(C)/515/2019

BISWAJIT GOGOI AND 6 ORS.
S/O MONIRAM GOGOI, VILL. AND P.O. NOHAT, DIST. SIVASAGAR, PIN-
785662

2: DEEP SAIKIA
S/O JUGESWAR SAIKIA
A R/O VILL. THANA COLONY
P.O. SIVASAGAR
P.S. AND DIST. SIVASAGAR
ASSAM

3: DIPAK LAHON
S/O NORAN LAHON
A R/O VILL. HAHCHARA JATHIPATIA GAON
P.O. DOYACHARIALI
DIST. SIVASAGAR
ASSAM

4: DIPOK BORUAH
S/O KAMALA BORUAH
A R/O VILL. NAPAMBUKAJAN GAON
P.O. NAPAM
P.S. GOURISAGAR
DIST. SIVASAGAR
ASSAM-785682

5: PAPU HANDIQUE
S/O LT. HEMA HANDIQUE
VILL. AKHOIPHUTIA
P.O. AKHAIPHUTIA
P.S. AND DIST. SIVASAGAR
ASSAM-785697

6: PREMA SENSUA

S/O MOHAN SENSUA
VILL. DADHARA
P.O. PALENGI
DIST. SIVASAGAR
ASSAM-785672

7: PULAK MOHAN
S/O TULSHI MOHAN
A R/O VILL. LAKUWA LAKHIMI PAM GAON
P.O. LAKUWA
P.S. SIMALGURI
DIST. SIVASAGAR
ASSAM-78568

VERSUS

ASHOTOSH AGNORHOTRI, IAS AND 6 ORS.
COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM, HOME DEPTT.
DISPUR, GUWAHATI-6

2:KULADHAR SAIKIA
THE DIRECTOR GENERAL OF POLICE
ASSAM
ASSAM POLICE HEADQUARTER
ULUBARI
GUWAHATI-7

3:Y.K. GAUTAM
THE ADDITIONAL DIRECTOR GENERAL OF POLICE (TAP)
ASSAM POLICE HEADQUARTER
ULUBARI
GUWAHATI-7

4:DIGANTA BORAH
THE INSPECTOR GENERAL OF POLICE (ADMN.)
ASSAM POLICE HEADQUARTER
ULUBARI
GUWAHATI-7

5:AMITAVH SINHA
THE SUPERINTENDENT OF POLICE
SIVASAGAR
DIST.- SIVASAGAR
ASSAM-785640

6:SUBA LAXMI DUTTA
THE DEPUTY SUPERINTENDENT OF POLICE (H.Q.)
SIVASAGAR

DIST. SIVASAGAR
ASSAM-785640

7:SHRI DIGANTA BARAH
COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM
HOME AND POLITICAL DEPARTMENT
DISPUR
GUWAHATI-6

Advocate for the Petitioner : MR. I ALAM

Advocate for the Respondent : MR. M BHAGABATI (R-7)

BEFORE
HONOURABLE MR. JUSTICE K. SEMA

ORDER

Date : 19-06-2024

None appears for the petitioner.

Mr. M. Bhagabati, learned counsel appears for the respondent No. 1 & 7 and Ms. O. Assumi, learned counsel appears for the respondent No. 2 & 4.

The present contempt petition has been filed alleging violation of the order dated 21/06/2019 passed in W.P.(C) No. 4235/2019. The operative portion of the order alleged to have been violated read as follows;

“4). In that view of the matter, the present petition is disposed of with the direction to the respondent authorities to consider the plea of the petitioners for grant of similar benefits, if they are found to be similarly situated as those petitioners in WP (C) No.2725/2010 by issuing a speaking order within a period of 1 (one) month from the date of receipt of a certified copy of this order.”

Today, when the matter is listed, Mr. M. Bhagabati, learned counsel for the respondent No. 1 & 7 has placed a copy of the judgment & order dated 12/06/2024 passed by the Hon’ble Division Bench in W.A No. 323/2021 and the linked case W.A No. 50/2022 wherein the Hon’ble Division Bench has quashed and set aside the order dated 22/02/2019 passed by the learned Single Judge in W.P.(C) No. 2725/2010.

Considering that the present contempt petition has been filed alleging violation of the

order dated 21/06/2019 passed in W.P.(C) No. 4235/2019 wherein this Court had directed the respondent authorities to consider the plea of the petitioner for granting similar benefits if they are found to be similarly situated as those petitioners in W.P.(C) No. 2725/2010 and considering that the Hon'ble Division Bench by the order dated 12/06/2024 have dismissed the judgment & order dated 22/02/2019 passed by the learned Single Judge in W.P.(C) No. 2725/2010, this court is of the considered view that nothing survives for adjudication in the present contempt petition.

The contempt petition accordingly stands dismissed.

In the order dated 26/05/2023 and 12/06/2024 passed by this Court it is further seen that on both these dates, the petitioner was not represented.

The judgment & order dated 12/06/2024 passed in W.A. No. 323/2021 shall be kept on record.

JUDGE

Comparing Assistant