

GAHC010230142024



2024:GAU-AS:11229

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

Case No. : I.A.(Civil)/3452/2024

BIJON HAPILA
S/O- UMANANDA HAPILA,
R/O- TOWN RAJI,
P.O./P.S.- HAFLONG,
DISTRICT- DIMA HASAO, ASSAM,
PIN- 788819.

VERSUS

K S GOPINATH NARAYAN IA AND AS
ACCOUNTANT GENERAL (A AND E), ASSAM, MAIDAMGAON, BELTOLA,
GUWAHATI-781029

2:KAILASH KARTHIK N
I.A.S.
SECRETARY TO THE GOVT. OF ASSAM

PUBLIC HEALTH ENGINEERING DEPARTMENT

DISPUR
GUWAHATI
PIN- 781006.

3:DIBYAJYOTI DUARAH
CHIEF ENGINEER
WATER
ASSAM

PUBLIC HEALTH ENGINEERING DEPARTMENT

HENGRABARI
GUWAHATI

ASSAM
PIN- 781036.

4:THAI TSHO DAW DAULAGUPU (ACS)
PRINCIPAL SECRETARY (T)

NORTH CACHAR HILLS AUTONOMOUS COUNCIL

HAFLONG
DIMA HASAO
PIN- 788819.

5:DILIP KAKATI
ADDITIONAL CHIEF ENGINEER

PUBLIC HEALTH ENGINEERING DEPARTMENT

HAFLONG
DIMA HASAO
PIN- 788819.

6:MONJIT KEMPRAI
EXECUTIVE ENGINEER

PUBLIC HEALTH ENGINEERING DEPARTMENT

UMRANGSO DIVISION

UMRANGSO
DIMA HASAO
PIN- 788931.

7:JAYANTA NARLIKAR
I.A.S.
COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM

FINANCE DEPARTMENT
DISPUR

GUWAHATI
PIN- 781006.

8:PROTIMA RONGPIPI
ACS
JOINT SECRETARY TO THE GOVT. OF ASSAM

HILLS AREA DEPARTMENT
DISPUR

GUWAHATI
PIN- 781006

Advocate for the Petitioner : MR B D DAS, MR H K SARMA,MR. D THAOSEN,MR. H R DAS

Advocate for the Respondent : , MR A CHALIHA,MR P NAYAK,MR. D GOGOI,MR. P N GOSWAMI,MS. M KALITA,MR R M DAS,MR. C SHARMA,D JAIN

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 18.11.2024

Heard Mr. B. D. Das, learned Senior Counsel assisted by Mr. D. Thaosen, learned counsel for the petitioner. Also heard Mr. C. Sharma, learned counsel for the respondent nos. 4, 5 and 6 and Mr. A. Chaliha, learned counsel for the respondent no. 7 and Mr. I. Borthakur, learned counsel for the respondent nos. 1, 2 and 3.

By way of this application, the petitioner is seeking impleadment of Shri. K. S. Gopinath Narayan, IA & AS, Accountant General (A&E), Assam, Maidamgaon, Beltola, Guwahati- 781029 as respondent no. 9 in the accompanying Contempt Petition, i.e. Cont.Cas(C)/716/2023.

It appears that the contempt petitioner has filed the accompanying contempt petition for initiation of contempt proceeding

against the contemnor/respondent for alleged willful and deliberate violation of the order dated 19.07.2023 passed by this Hon'ble Court in WP(C) No.1231/2022.

It appears that during the pendency of the instant contempt petition, the learned counsel appearing on behalf of the contemnor/respondent has submitted that as the subject relates to pension, the matter has been placed before office of the Accountant General (A&E), Assam for releasing the subject pension and considering that the Accountant General (A&E) since not a party in the instant proceeding, the learned counsel appearing on behalf of the petitioner has sought 2 (two) weeks time to obtain instruction and for doing the needful in the matter.

It further appears that that this Court by order dated 18.09.2024 allowed the aforesaid prayer of the learned counsel for the petitioner.

In view of the above, it appears that the Accountant General (A&E), Assam is a necessary party for effective adjudication of the accompanying contempt petition.

Accordingly, the impleadment application is allowed.

As such, it is directed that Shri. K. S. Gopinath Narayan, IA & AS, Accountant General (A&E), Assam is impleaded as a party respondent no. 9 in Cont.Cas(C)/716/2023.

Let an amended cause title be submitted to the Registry for doing the needful.

Disposed of.

JUDGE

Comparing Assistant