

GAHC010282022023



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

Case No. : I.A.(Civil)/121/2024

JAGADISH BHUYAN,
S/O LT. CHANDRADHAR BHUYAN, P.O. BASISTHAPUR, DISPUR,
GUWAHATI-06.

VERSUS

UNION OF INDIA and 2 ORS.
REPRESENTED BY G.O.C, EASTERN COMMAND, C/O 99 APO.

2:THE STATE OF ASSAM

REPRESENTED BY THE COMMISSIONER AND SECRETARY
HOME AND POLITICAL DEPARTMENT
DISPUR
GUWAHATI-06.

3:SUPERINTENDENT OF POLICE

TINSUKIA DISTRICT

Advocate for the Petitioner : MRS. P BARMAN (BORKAKOTI)

Advocate for the Respondent : GA, ASSAM

Linked Case : CR(HC)/17/1994

J. BHUYAN.

VERSUS

UNION OF INDIA and ORS.

Advocate for :

Advocate for : SC

CBI appearing for UNION OF INDIA and ORS.

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 02.02.2024

(R. Phukan, J)

Heard Ms. P. Barman, learned counsel for the applicant. Also heard Ms. A. Gayan, learned counsel for the respondent no.1, and Ms. U. Das, learned counsel for the respondent nos.2 and 3.

2. This interlocutory application has been preferred by the applicant, namely, Jagadish Bhuyan, the petitioner in CR(HC) No. 17/1994, for rectification of the typographical error in the name of the detainee no.7 in the cause title and also in paragraph nos. 4, 8, 11, 14, 15, 17, 19, 20 and 25 of the judgment and order dated 09.03.2023, passed by this Court in CR(HC) No. 17/1994.

3. Ms. Barman, learned counsel for the applicant submits that inadvertently the name of detainee no.7 in the cause title was mentioned as "Bhupen Moran" instead of "Bhaben Moran" and consequently in paragraph nos. 4, 8, 11, 14, 15, 17, 19, 20 and 25 of the judgment and order also the name of detainee no.7 was mentioned as "Bhupen Moran" instead of "Bhaben Moran".

Therefore, Ms. Barman contended that the name of "Bhupen Moran" in the cause title and also in paragraphs mentioned hereinabove may be corrected as "Bhaben Moran".

4. Ms. Gayan, learned counsel for the respondent no.1 and Ms. Das, learned counsel for the respondent nos.2 and 3 have submitted that they have no objection in the event of making the aforesaid correction as prayed for.

5. Having heard the submissions of learned advocates of both sides, we have gone through the record and the judgment and order dated 09.03.2023. It appears that in the cause title, the name of detainee no.7 was mentioned as Bhupen Moran and consequently in the paragraph nos. 4, 8, 11, 14, 15, 17, 19, 20 and 25, the name of detainee no.7 was mentioned as "Bhupen Moran". The correct name, according to the learned counsel for the applicant, ought to have been "Bhaben Moran".

6. Accordingly, this interlocutory application stands allowed by providing that the name of "Bhupen Moran" in the cause title and also in paragraph nos. 4, 8, 11, 14, 15, 17, 19, 20 and 25, henceforth be read as "Bhaben Moran" for all purposes.

7. Registry shall make the necessary correction in the cause title.

8. This order shall be read together with judgment and order dated 09.03.2023 passed by this Court in CR(HC) No. 17/1994.

JUDGE

JUDGE

Comparing Assistant