



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

Case No. : I.A.(Civil)/81/2024

MYINGTHUNGLO LOTH
RETIRED SWEEPER
DISTRICT SPORT OFFICE
WOKJHA NAGALAND
R/O ORCHID HILL COLONY
WOKHA TOWN, WOKHA NAGALAND

VERSUS

THE STATE OF NAGALAND AND 3 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF NAGALAND
2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF
NAGALAND

DEPT. OF YOUTH RESOURCES AND SPORTS

NAGALAND SECRETARIAT
KOHIMA
NAGALAND

3:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF NAGALAND

DEPT. OF PERSONNEL AND ADMINISTRATIVE REFORMS
NAGALAND SECRETARIAT
KOHIMA
NAGALAND

4:THE DIRECTOR

DEPARTMENT OF YOUTH RESOURCES AND SPORTS
GOVT. OF NAGALAND
KOHIM

For the Applicant(s) : Mr. S. K. Srivastava, Advocate
: Mr. N. Z. Lotha, Advocate

For the Respondent(s) : Ms. Inaholi Wotsa, Government Advocate

**BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 07.06.2024

Heard Mr. S. K. Srivastava, the learned counsel appearing on behalf of the Applicant and Ms. Inaholi Wotsa, the learned Government Advocate appearing on behalf of the State of Nagaland.

2. This is an application seeking interim direction upon the Respondent No.4 to pay the provisional pension to the Petitioner till such time the matter is finally adjudicated by this Court.

3. The learned counsel for the Applicant submits that taking into account that the affidavit-in-opposition has already been filed by the Respondent State, he would not like to press the instant application. He however submits that in the circumstance, there is a further delay in disposal of the accompanying writ petition, he may be permitted to again re-file.

4. Taking into account the above, this Court closes the instant application on withdrawal.

5. However, liberty is given to the Petitioner to again re-file

in the circumstance, the matter cannot be disposed of on an expeditious date.

Sd/-

JUDGE

Comparing Assistant