

GAHC020004062024



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

Case No. : WP(C)/142/2024

JAMES OVUNG
ASSISTANT COMMANDANT,
13 NAP IR YAJANG C/ C.COY COMMANDER (CAMP PHEK)

VERSUS

THE STATE OF NAGALAND AND 3 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF
NAGALAND, NAGALAND, KOHIMA

2:THE HOME COMMISSIONER
TO THE GOVERNMENT OF NAGALAND
NAGALAND
KOHIMA

3:THE SPECIAL SECRETARY (HOME)
POLICE ESTABLISHMENT BRANCH
HOME DEPARTMENT
NAGALAND
KOHIMA

4:THE DIRECTOR GENERAL OF POLICE

NAGALAND
KOHIM

Advocate for the Petitioner : WATI JAMIR

Advocate for the Respondent : GOVT ADV NL

**BEFORE
HON'BLE MR. JUSTICE KAKHETO SEMA**

ORDER

30.07.2024

Heard Mr. Wati Jamir, learned counsel for the petitioner.

The present writ petition has been filed by the petitioner seeking for a direction to the respondent authorities to consider the *ad hoc* promotion of the petitioner to the post of Additional S.P./Deputy Commandant. It is the case of the petitioner that the promotion due to the petitioner has been denied as the petitioner has been implicated in Diphupar Case No. 40/12 under Section 25(1B)(a) of the Arms Act. The said case has been investigated by the NIA and thereafter registered as RC-01/2013 and the same is pending trial in the Court of the learned Chief Judicial Magistrate, Dimapur.

Mr. Wati Jamir, learned counsel for the petitioner, however, submits that he has submitted the Representation dated 23.02.2024 to the Home Commissioner, Nagaland, Kohima, as well as the Director General of Police, Nagaland, Kohima, praying for promotion to the post of Additional S.P./Deputy Commandant. However, the Representation submitted by the petitioner is yet to be disposed. Mr. Wati Jamir accordingly submits that the present writ petition can be disposed with a direction to the respondent authorities, more particularly respondent Nos. 2 and 3, to dispose the Representation dated 23.02.2024 submitted by the petitioner.

Mr. N. Angami, learned Senior Government Advocate is not

averse to the submission made by the learned counsel for the petitioner which is limited to the disposal of the Representation dated 23.02.2024 submitted by the petitioner to consider his *ad hoc* promotion.

In view of the submissions made by the learned counsel for the parties, the writ petition is disposed at the motion stage directing the respondent Nos. 2 and 3 to dispose the Representation dated 23.02.2024 submitted by the petitioner within a period of 6 (six) weeks from today. Any order passed by the respondent authorities on the Representation submitted by the petitioner shall be forthwith communicated to the petitioner.

The present writ petition accordingly stands disposed.

Sd/-
JUDGE

Comparing Assistant