

GAHC020007382023



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

Case No. : I.A.(Civil)/155/2023

SHRI LAXMAN SONAR
EX. ABI (MT), 15TH NAP (IR) BN, CHUMUKEDIMA,
NAGALAND, PIN CODE 797103

VERSUS

THE STATE OF NAGALAND AND 2 ORS
THROUGH THE CHIEF SECRETARY TO THE GOVT. OF NAGALAND

Advocate for the Petitioner : RENBONI

Advocate for the Respondent : GOVT ADV NL

Linked Case : WP(C)/175/2023

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EX. ABI (MT)

15TH NAP (IR) BN
CHUMUKEDIMA

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THROUGH THE CHIEF SECRETARY TO THE GOVERNMENT OF NAGALAND

NAGALAND
KOHIMA

2:THE SPECIAL SECRETARY TO THE GOVERNMENT OF NAGALAND

HOME DEPARTMENT
POLICE ESTABLISHMENT BRANCH
NAGALAND

KOHIMA

3:HTE DIRECTOR GENERAL OF POLICE

NAGALAND
KOHIMA

Advocate for : I. APOK PONGENER

Advocate for : GOVT ADV NL appearing for THE STATE OF NAGALAND AND 2
ORS

BEFORE
HON'BLE MR. JUSTICE NELSON SAILO

ORDER

12.02.2024

Heard Mr. I. Apok Pongener, learned counsel for the applicant/writ petitioner, who submits that by filing this application the applicant prays for a direction to the respondent authorities concerned to allow the applicant and his family to occupy the Government Quarter No. NPCW-2 (TYPE-IV) till disposal of the connected writ petition, i.e. WP(C)/175/2023. The learned counsel submits that the applicant and his family has been residing in the said Quarter since the year 2017 and due to certain misconception the applicant has been retired from service prematurely. Therefore, the applicant has filed the connected writ petition challenging his premature retirement. The learned counsel submits that since the applicant and his family members are staying in the said Quarter, they may be allowed to stay till final disposal of the connected writ petition.

Mr. Veto V. Zhimomi, learned State counsel, on instructions submits that the applicant had in fact since been transferred to 5th NAP in Phek on 20.09.2022, and therefore, the applicant should have vacated the Quarter long time back.

Upon hearing the learned counsels for the rival parties the application is disposed of with a direction to the applicants/writ petitioner to file an application seeking occupation of the Quarter concerned within a period of two (2) weeks from today. Upon the applicant filing such application the respondent authority concerned shall take the same into consideration having regard to the fact that the writ petition filed by the applicant is still pending for disposal and pass appropriate orders as it deems fit and proper within a period of two (2) weeks thereafter. Till the application to be filed by the applicant is considered and disposed of no coercive steps should be taken against the applicant.

Sd/-
JUDGE

Comparing Assistant