GAHC020001392024

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

Case No. : I.A.(Civil)/34/2024

N.LITSEMO
AGED ABOUT 31 YEARS, S/O NZINYIMO, R/O MESHANGBEN, P.O. AND P.S. WOKHA
DISTRICT-WOKHA, NAGALAND, PIN -797111

VERSUS

THE UNION OF INDIA AND 21 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY OF HOME AFFAIRS, NORTH BLOCK, NEW DELHI,
PIN-110001

2:THE DIRECTOR GENERAL OF ASSAM RIFLES

THE MAHANIDESHALAYA ASSAM RIFLES
SHILLONG
MEGHALAYA
PIN-793010

3:THE ADDITIONAL DIRECTOR GENERAL OF ASSAM RIFLES

THE MAHANIDESHALAYA ASSAM RIUFLES
SHILLONG
MEGHALAYA
PIN-793010

4:THE COL./ LT. COL
PRESIDING OFFICER MAHANIDESHALKAYA
PIN-793010

5:THE MAJOR/DEPUTY COMMAMDANT

SO-2 (RECT. CELL) A BRANCH DIRECTORATE GENERAL OF ASSAM RIFLES

SHILKLONG
MEGHALAYA
PIN-793010

6:THE MAJOR GENERAL MAHANIDESHALAYA ASSAM RIFLES

DIRECTORATE GENERAL ASSAM RIFLES
SHILLONG
MEGHALAYA
PIN-793010

7:THE LIEUTENANT COLONEL
PRO

THE MAHANIDESHALAYA ASSAM RIFLES
SHILLONG
MEGHALAYA
PIN-793010

8:THE LIEUTENANT COLONEL

CONTROL PUBLIC INFORMATION OFFICER
TRHE MAHANIDESHALAYA ASSAM RIFLES
DIRECTORATE GENERAL ASSAM RIFLES
SHILLONG
MEGHALAYA
PIN-793010

9:THE COMMANDANT

ASSAM RIFLES
TRAINING CENTRE AND SCHOOL
DIMAPUR
NAGALAND
PIN-797115

10:MANUJ HAZARIKA
AGED ABOUT 34 YEARS
CHEST NO. 107
S/O ROBIN HAZARIKA

11:YANBOTHUNG N KIKON
AGED ABOUT 31 YEARS
CHEST NO. 3113
S/O NCHUMBEMO KIKON

12:HONTOK KONYAK
AGED ABOUT 31 YEARS

CHEST NO. 8152
S/O TAIWANG KONYAK

13:MEDOSE ZECHO
AGED ABOUT 30 YEWARS
CHEST NO. 4642

S/O KEDUHO ZECHO

14:LEPDENCHIBA
AGED ABOUT 35 YEARS
CHEST NO.5047
S/O I. TOSHI AIER

15:DZUZUVOYI S VENUH
AGED ABOUT 30 YEARS
CHEST NO. 4718
S/O HUTSEIZO S VENUH

16:MHABEMO LOTHA
AGED ABOUT 32 YEARS
CHEST NO. 3080
S/O THUNGYAMO LOTHA

17:MARTEMJEN AIER
AGED ABOUT 32 YEARS
CHEST NO. 11320
S/O TAKU AIER

18:DINESH KUMAR
AGED ABOUT 32 YEARS
CHEST NO. 1091
S/O BIJENDRA SINGH

19:SUSHIL KUMAR
AGED ABOUT 33 YEARS
CHEST NO. 1313

S/O SOHAN KUMAR

20:C. CHANBEMO
AGED ABOUT 37 YEARS
CHEST NO. 3218
S/O CHONPANTHUNG

21:A. KHONYU KONYAK
AGED ABOUT 35 YEWARS
CHEST NO. 8427

S/O ANYIANGBA KONYAK

22:KUVEYI CHIZO
AGED ABOUT 33 YEARS
CHEST NO. 4735
S/O VESHETSO CHIZ

Advocate for the Petitioner : PREMIKA TOKBIPI

Advocate for the Respondent : CGSC

Linked Case : WP(C)/236/2019

N. LITSEMO
S/O NZINYIMO

R/O MEZHANGBEN

P.O/P.S - WOKHA
NAGALAND

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21:A KHONYU KONYAK

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22:KUVEYI CHIZO

AGED ABOUT 32 YEARS

CHEST NO.4735

S/O VESHETSO CHIZO

Advocate for : N.K. MURRY
Advocate for : YANGER WATI appearing for THE UNION OF INDIA AND 21 ORS

BEFORE
HON'BLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 27-03-2024

Heard Mr. N.K. Murry, learned counsel for the applicant/writ petitioner and Mr. Yangerwati, learned C.G.C representing the party respondent nos. 1 to 9.

The applicant as writ petitioner, has preferred the connected writ petition, W.P.(C) 236/2019. The party- respondent nos. 10 to 22 in the connected writ petition, have been im-

pleaded vide an Order dated 19.06.2023 passed in an interlocutory application, I.A.(C) no. 66/2023.

The instant interlocutory application is preferred following leave granted by Order dated 12.02.2024 passed in W.P.(C) 236/2019, whereby, the applicant/writ petitioner has been granted liberty to file application seeking permission of the Court to take steps for service of notice to the party respondent nos. 10 to 22 through the respondent no. 2.

It has been averred that the party-respondent nos. 10 to 22 in the connected writ petition, W.P.(C)236/2019 are employees under the respondent no. 2 i.e. the Director General of Assam Rifles. The applicant/writ petitioner has sought leave to allow him to serve the notices upon the respondent nos. 10 to 22 in the connected writ petition, W.P.(C) 236/2019 through the respondent no.2.

Mr. Yangerwati, learned C.G.C appearing for the respondent Nos. 1 to 9 including the respondent no. 2, has submitted that admittedly, the respondent nos. 10 to 22 are employees of the Assam Rifles but they are posted at various places throughout the North East Region and as such, it would require some time for the respondent no. 2 to serve notice upon them. In such view of the matter, Mr. Yangerwati, learned C.G.C has submitted that a period of 6(six) weeks be granted to the respondent no. 2 to serve such notices to the party-respondent nos. 10 to 22.

In view of the submissions made by the learned counsel for the parties, the instant I.A is allowed.

The learned counsel for the applicant/writ petitioner shall furnish requisite number of copies of the writ petition along with its annexures, to Mr. Yangerwati, learned C.G.C within 3(three) working days from today. On receipt of copies of the writ petition, the respondent no. 2 shall take the necessary steps for service of the notices upon the party respondent nos. 10 to 22 and shall submit a compliance report to that effect, within a period of 6(six) weeks therefrom.

Sd/-
JUDGE

Comparing Assistant