

GAHC010009942014



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

Case No. : MACApp./126/2014

THE MANAGING DIRECTOR,
ASSAM STATE TRANSPORT CORPORATION LTD. PALTANBAZAR, P.S.
PALTANBAZAR, GUWAHATI, DIST. KAMRUP, ASSAM.

VERSUS

HEMA PROVA CHUTIA and ANR.
W/O LATE GUNA KANTA CHUTIA, R/O TIPLING NALONI PATHAR, P.S.
DULIAJAN, DIST. DIBRUGARH

2:MD. SHAH ALAM AHMED

S/O LATE ALLAUDDIN AHMED
R/O WARD NO. 7
NORTH LAKHIMPUR
DIST. NORTH LAKHIMPUR
ASSAM

Advocate for the Petitioner : MS.B SHARMA

Advocate for the Respondent : MR D MONDAL (R1)

Linked Case : MACApp./128/2014

THE MANAGING DIRECTOR

ASSAM STATE TRANSPORT CORPORATION LTD.
PALTANBAZAR

P.S. PALTANBAZAR
GUWAHATI
DIST. KAMRUP
ASSAM.

VERSUS

HEMA PROVA CHUTIA and ANR.
W/O LATE GUNA KANTA CHUTIA
R/O TIPLING NALONI PATHAR
P.S. DULIAJAN
DIST. DIBRUGARH.

2:MD. SHAH ALAM AHMED

S/O LATE ALLAUDDIN AHMED
R/O WARD NO. 7
NORTH LAKHIMPUR
DIST. NORTH LAKHIMPUR
ASSAM.

Advocate for : MR.S K BARKATAKI

Advocate for : MR D MONDAL (R1) appearing for HEMA PROVA CHUTIA and ANR.

Linked Case : MC/1467/2014

THE MANAGING DIRECTOR

ASSAM STATE TRANSPORT CORPORATION LTD. PALTANBAZAR
P.S. PALTANBAZAR
GUWAHATI
DIST. KAMRUP
ASSAM.

VERSUS

HEMA PROVA CHUTIA and ANR.
W/O LATE GUNA KANTA CHUTIA
R/O TIPLING NALONI PATHAR
P.S. DULIAJAN
DIST. DIBRUGARH.

2:MD. SHAH ALAM AHMED

S/O LATE ALLAUDDIN AHMED
R/O WARD NO. 7
NORTH LAKHIMPUR
DIST. NORTH LAKHIMPUR
ASSAM.

Advocate for : MR.S K BARKATAKI
Advocate for : appearing for HEMA PROVA CHUTIA and ANR.

Linked Case : MACApp./127/2014

THE MANAGING DIRECTOR
ASSAM STATE TRANSPORT CORPORATION LTD.
PALTANBAZAR
P.S. PALTANBAZAR

VERSUS

HEMA PROVA CHUTIA and ANR.
W/O LATE GUNA KANTA CHUTIA
R/O TIPLING NALONI PATHAR
P.S. DULIAJAN
DIST. DIBRUGARH

2:MD. SHAH ALAM AHMED

S/O LATE ALLAUDDIN AHMED
R/O WARD NO. 7
NORTH LAKHIMPUR
DIST. NORTH LAKHIMPUR
ASSAM.

Advocate for : MS.Y DEKA
Advocate for : MR D MONDAL (R1) appearing for HEMA PROVA CHUTIA and ANR.

Linked Case : MC/1469/2014

THE MANAGING DIRECTOR
ASSAM STATE TRANSPORT CORPORATION LTD.
PALTANBAZAR
P.S. PALTANBAZAR

VERSUS

HEMA PROVA CHUTIA and ANR.
W/O LATE GUNA KANTA CHUTIA
R/O TIPLING NALONI PATHAR
P.S. DULIAJAN
DIST. DIBRUGARH

2:MD. SHAH ALAM AHMED

S/O LATE ALLAUDDIN AHMED
R/O WARD NO. 7
NORTH LAKHIMPUR
DIST. NORTH LAKHIMPUR
ASSAM.

Advocate for : MR.S K BARKATAKI
Advocate for : appearing for HEMA PROVA CHUTIA and ANR.

Linked Case : MC/1471/2014

THE MANAGING DIRECTOR

ASSAM STATE TRANSPORT CORPORATION LTD.
PALTANBAZAR
P.S. PALTANBAZAR
GUWAHATI
DIST. KAMRUP
ASSAM.

VERSUS

HEMA PROVA CHUTIA and ANR.
W/O LATE GUNA KANTA CHUTIA
R/O TIPLING NALONI PATHAR
P.S. DULIAJAN
DIST. DIBRUGARH.

2:MD. SHAH ALAM AHMED

S/O LATE ALLAUDDIN AHMED
R/O WARD NO. 7
NORTH LAKHIMPUR

DIST. NORTH LAKHIMPUR
ASSAM.

Advocate for : MR.D K NATH
Advocate for : appearing for HEMA PROVA CHUTIA and ANR.

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 20-02-2024

Heard Mr. B. P. Sharma, learned counsel appearing on behalf of Mr. J. Roy, learned Standing counsel for ASTC. I have also heard Mr. D. Mondal, learned counsel for the respondents/claimants.

Mr. B. P. Sharma, learned counsel appearing on behalf of Mr. J. Roy, learned Standing counsel for ASTC prays for adjournment of the case, as the learned Standing counsel is out of station. However, Mr. D. Mondal, learned counsel for the respondents/claimants raises objection and pointed out that by an order dated 18.08.2022, the appellant was directed to deposit 50% of the awarded amount in the three appeals within four weeks. However, the appellant failed to deposit the said amount. Again by an order dated 12.10.2023, this Court reiterated the earlier order and directed the appellants to deposit 50% of the awarded amount in the three appeals in terms of the order dated 18.08.2022, within a period of two weeks from the date of the said order, and today also, the appellants seeks for adjournment.

It appears that the appellant has not taken the order and direction of this Court dated 18.08.2022 and 12.10.2023 seriously as even after a lapse of more than one year, they have not yet deposited the amount as directed.

In view of the above, the appellant are once again directed to deposit

50% of the awarded amount in all the three appeals preferred by the appellant, in terms of this Court's order dated 18.08.2022 and 12.10.2023 within a period of three weeks from today, failing which, the authority may have to appear personally to explain the reason for non-compliance.

As prayed for by the learned counsel for the appellant, list these matters on 14.03.2024.

JUDGE

Comparing Assistant