

GAHC010021992017



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

Case No. : WP(C)/2672/2017

JITENDRA NATH DEKA @ JITENDRA DEKA
S/O- LATE SIDHESWAR DEKA, R/O- MANGALDOI, P.O 7P.S- MANGALDOI,
DIST- DARRANG, ASSAM

VERSUS

THE STATE OF ASSAM and 6 ORS.
REPRESENTED BY THE COMMISSIONER and SECRETARY TO THE
GOVERNMENT OF ASSAM, POLITICAL B DEPARTMENT, DISPUR,
GUWAHATI-6

2:THE SECRETARY TO THE GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-6

3:THE SECRETARY
TO THE GOVERNMENT OF ASSAM
JUDICIAL DEPARTMENT
DISPUR
GHY-6

4:THE SECRETARY
TO THE GOVT OF INDIA
MINISTRY OF HOME AFFAIRS
NEW DELHI
PIN- 110006

5:THE DEPUTY SECRETARY
TO THE GOVT OF ASSAM
POLITICAL B DEPARTMENT
DISPUR

GHY-6

6:THE ACCOUNTANT GENERALAandE
ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI- 29

7:THE MEMBER FOREIGNERS' TRIBUNAL
DARRANG
P.O and P.S- MANGALDOI
DIST- DARRANG
ASSAM
PIN- 78412

Advocate for the Petitioner : MR.I H SAIKIA

Advocate for the Respondent : ASSTT.S.G.I.

BEFORE
THE HON'BLE MR JUSTICE ARUN DEV CHOUDHURY
O R D E R

05.02.2024

Mr. D Bara, learned counsel representing the respondent Nos. 1 and 3 submits that the brief has been misplaced in the office of the learned Senior Government Advocate. Accordingly, affidavit could not be filed.

Affidavit of the aforesaid respondents, in the considered opinion of this court, is necessary for proper adjudication for the issues raised in the writ petition.

Mr. I H Saikia, learned counsel for the petitioner submits that he will furnish extra copies to the learned counsels representing respondent Nos. 1 & 3 and also to Mr. P Nayak, learned standing counsel for the finance department during the course of the day.

Accordingly, let an affidavit be filed by the respondent Nos. 1 and 3 within a period of two weeks from today.

Though at this stage there may not be any role of the finance department, however, if the department wishes they may also file an affidavit in this regard.

List after two weeks.

JUDGE

Comparing Assistant