

WP(C) 7471/2016

BEFORE

HON'BLE MR. JUSTICE SUMAN SHYAM

Heard Mr. K.K. Mahanta, learned senior counsel and other learned counsel appearing for the petitioner in this batch of contempt/writ petitions. I have also heard Mr. D. Saikia, learned senior Additional Advocate General, Assam, appearing for the State, who has sought adjournment of this series cases by another three weeks so as to enable him to file individual additional affidavit/review petitions in all these cases, seeking appropriate orders from this Court in the light of the recent findings of the Screening Committee which had verified the validity of appointment of the teachers involved in these cases. Mr. Saikia submits that IA (C) 4238/2017 arising out of WP(C) No. 1048/2004 (since disposed) seeking an order from the Division Bench to club all these proceedings and to take up these cases by the Division Bench so as to avoid any conflicting decision is pending disposal before the Division Bench and the matter is posted on 20/12/2017. As such, these cases be listed after Bihu vacation.

Since the steps as proposed by the learned senior AAG would have a bearing in the outcome of the individual petition and considering the fact that the Division Bench is yet to pass any order in IA (C) 4238/2017, which is reportedly fixed on 20/12/2017, I am inclined to adjourn further hearing in these cases by another three weeks. On the request of the State Counsel and as agreed to by the learned counsel for the petitioners, these cases are directed to be listed again on 18/01/2018.

Mr. Saikia has given assurance that whatever pleadings are required to be brought on record by the State will be completed on or before 12/12/2018 by serving advance copies on the petitioners' counsel.

In view of the above, it is clarified that depending on the stand taken by the Government, the individual petitions shall be considered for decision on merit. It is further made clear that if the petitioners seek time for filing rejoinder, the same will be considered by the Court on the next date fixed.

On the request of Mr. M. U. Ahmed, learned counsel, Cont. case (C) 522/2014 be also listed along with these cases.