

GAHC010134972023



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

Case No. : WP(C)/3599/2023

BIJIT CHAKRAVORTY
S/O- LATE N. N. CHAKRAVORTY, BIDYAPUR NALBARI TOWN, P.S. AND
DIST. NALBARI, ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
NOTICE THROUGH THE SECRETARY TO THE GOVERNMENT OF ASSAM,
FOOD CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT, DISPUR,
GUWAHATI-6.

2:THE PRESIDENT

DISTRICT CONSUMER DISPUTE REDRESSAL COMMISSION
NALBARI.

3:DIRECTOR OF FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPTT.

GUWAHATI-5
ASSAM

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

Advocate for the Petitioner : MR D CHOUDHURY

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

22.06.2023

Heard Shri D. Choudhury, learned counsel for the petitioner, who by means of this petition is seeking implementation of certain recommendation of the Revision of Pay Rules, 1998. This Court has however noted that the petitioner has approached this Court earlier on the same cause of action which was disposed of and the last order was passed on 10.03.2021 in WP(C)/3077/2019.

This Court is of the *prima facie* opinion that a Writ Court cannot be an Executing Court and in the instant case, even assuming that the petitioner was not given the benefit of the orders of this Court, recourse to the Contempt of Courts Act, 1971 should have been taken which apparently has not been done. At this stage, Shri Choudhury, the learned counsel prays for some time to place decisions regarding the executing powers of a writ court.

List this matter on Monday, i.e., 26.06.2023.

Ms. M.D. Bora, learned State Counsel as well as Shri B. Gogoi, learned Standing Counsel for the Finance Department are present.

JUDGE

Comparing Assistant