

GAHC030002712019



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

Case No. : WP(C) 73/2019

1:Rajani Mohan
Silgur, Lunglei District

VERSUS

1:The State of Mizoram r/b the Chief Secretary to the Govt. of Mizoram
Aizawl

Advocate for the Petitioner : Mr Anil Rinliana Malhotra

Advocate for the Respondent : Mr C Zoramchhana

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

Date : 20-05-2020

Affidavit has not been filed by the respondent No. 5 till date.

One of the question that has to be decided is whether an appeal should have been filed against dismissal of the reference petition filed by the petitioners.

On this count, the learned counsel for the petitioners submits that the reference petition had been filed by one Sh. Rupayan Chakma, who was not authorized to file the reference

application on behalf of the petitioners. He also submits that a criminal case is pending against Sh. Rupayan Chakma.

The above being a factual issue, the same has to be decided at the time of disposal of the petition.

Further, this Court vide Order dated 24.09.2019 had held that the question of maintainability of the writ petition on account of delay and laches would be kept open.

List the matter after three weeks.

JUDGE

Comparing Assistant