

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 801 OF 2013
(Arising out of SLP(C) No.23286/2012)

RAJU GHOSH & ORS. Appellant(s)
:VERSUS:
STATE OF TRIPURA & ORS. Respondent(s)

O R D E R

Leave granted.

Heard the learned counsel for the parties at length.

Application for deletion of the names of Respondent Nos.4 to 8 is allowed.

This appeal, by special leave, has been filed against the interim order dated 3.7.2012 passed by the Gauhati High Court, Agartala Bench in Writ Appeal No.23 of 2012. At the time of issuing notice in the special leave petition, this Court had stayed the operation of the impugned order passed by the High Court.

It is brought to our notice by Mr. Jaideep Gupta, learned senior counsel appearing for the State of Tripura that the elections are due to be held in February, 2013. There is acute shortage of police personnel in the State of Tripura. Therefore, it is necessary that the proceedings in this matter are finalized with utmost expedition. The aforesaid position is not disputed by Mr. Rana Mukherjee, learned counsel appearing for the appellants, who, in fact, submitted that his clients had not sought any adjournment before the High Court and they are ready and willing to go ahead with the hearing of the writ appeal.

We are of the opinion that it would be in the interest of justice if the High Court takes up the hearing of the appeal on priority basis so that the State is not deprived of the services of the police personnel, who would be required at the time of elections. We, therefore, dispose of this appeal by requesting the High Court to decide the appeal (Writ Appeal No.23/2012), if possible, by the 7th of February, 2013.

In view of the above, the order passed by the Division Bench of the High Court is set aside and the appeal is allowed to that extent.

We make it clear that we have disposed of this appeal without going into the merits of the

issues involved. Although we have set aside the order passed by the Division Bench of the High Court, we make it clear that the order of the learned Single Judge also shall not be given effect to till the decision of the appeal by the High Court.

Let a copy of this order be sent to the Registrar General of the Gauhati High Court, Tripura Bench, today itself.

(SURINDER SINGH NIJJAR)

.....J

.....J
(M.Y. EQBAL)

New Delhi;
January 30, 2013.

ITEM NO.9

COURT NO.11

SECTION XIV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).23286/2012

(From the judgement and order dated 03/07/2012 in CMA No.41/2012 in WA No.23/2012 of the HIGH COURT OF GUWAHATI, AGARTALA BENCH)

RAJU GHOSH & ORS.

Petitioner(s)

VERSUS

STATE OF TRIPURA & ORS.

Respondent(s)

(With appln(s) for vacating stay, permission to place addl. documents on record, deletion of the names of Respondent Nos.4 to 8 and with prayer for interim relief and office report)
(FOR FINAL DISPOSAL)

Date: 30/01/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR
HON'BLE MR. JUSTICE M.Y. EQBAL

For Petitioner(s) Mr. Rana Mukherjee,Adv.
Ms. Daisy Hannah,Adv.
Mr. Shekhar Kumar,Adv.
Ms. Anjul Dwivedi,Adv.

For Respondent(s) Mr. Jaideep Gupta,Sr.Adv.
Mr. Gopal Singh,Adv.
Mr. Manish Kumar,Adv.

UPON hearing counsel the Court made the following
O R D E R

Leave granted.
Heard the learned counsel for the parties.
Application for deletion of the names of Respondent Nos.4 to 8 is allowed.
The appeal is disposed of in terms of the signed order.

-2-

Let a copy of this order be sent to the Registrar General of the Gauhati High Court, Tripura Bench, today itself.

(A.S. BISHT)

(INDU BALA KAPUR)

COURT MASTER

COURT MASTER

(Signed order is placed on the file)