

MC[WP(C)] No.182/2015

BEFORE
THE HON'BLE MR. JUSTICE T NANDAKUMAR SINGH

24.11.2015

Heard Mr. V.J.K Kynta, learned Sr. counsel, assisted by Mr. K.K. Khongjoh, learned counsel appearing for the applicant/writ petitioner, Mr. K.S.Kynjing, learned Sr. counsel, assisted by Mr. L.Shongwan, appearing for the respondents No. 1, 2 and 5 and also Mr. K.P.Bhattacharjee, learned GA appearing for the respondents No. 3 and 4.

By this application, the applicant/writ petitioner is seeking the permission of this Court for bringing the sketch map mentioned as Annexure 'E' to the writ petition.

Mr. K.S.Kynjing, learned Sr. counsel contended that there is no such prayer in the present misc. application for annexing the said sketch map as Annexure 'E' to the writ petition. Mere annexing of the sketch map as Annexure 'E' to the writ petition does not mean that the Court had accepted the legality or otherwise of the sketch map. The respondents will have the charge to file the affidavit-in-opposition mentioning their objection or the legality or otherwise of the said sketch map. As stated above in the present misc. application, the petitioner is only asking to annex the sketch map as Annexure 'E' to the writ petition. For the ends of justice, the petitioner is allowed to annex the sketch map as Annexure 'E' to the writ petition. Misc. application is allowed with the above observations.

Considering the nature the petitioner filed the Misc. application, this Court is of the considered view that some cost is to be awarded. Accordingly, a sum of Rs. 1000/- (Rupees one thousand) only is imposed as cost. The said cost of Rs. 1000/- (Rupees one thousand) only is to be deposited in the fund of the High Court Bar Association. If the said cost is not deposited, the said sketch map shall not be treated as part of the writ petition i.e. Annexure 'E' to the writ petition.

Misc. application is allowed.

JUDGE

S.Rynjah