

MC(PIL). No. 1/2016
and MC(PIL) No. 2/2016

BEFORE
THE HON'BLE MR. JUSTICE T NANDAKUMAR SINGH
CHIEF JUSTICE (ACTING)
THE HON'BLE MR JUSTICE S.R.SEN

27-01-2016

A common order is being passed for MC(PIL) No. 1/2016 and MC(PIL) No. 2/2016.

Heard Mr. K.Paul, learned counsel appearing for the applicant, Mr. Amarendra Sinha, IAS, Secretary, Ministry of Minority Affairs, Government of India, New Delhi, as well as Mr. H.S.Thangkhiew, learned Sr. counsel, assisted by Mr. P.Nongbri, learned counsel appearing for the respondents No. 1 and 2, and Mr. N.D.Chullai, learned Sr. GA, assisted by Ms. N.G.Shylla, learned GA, appearing for the respondents No. 3, 4, and 5.

This Court passed an order dated 13-01-2016 to the effect that “.....*we are informed by the Central Govt. counsel that the last order of summoning of the Secretary, Minority Affairs, Govt. of India has already been communicated, but till date, there is no response. Thus, we issue a bailable warrant in the sum of ` 20,000/- against the Secretary concerned to secure his appearance on the next date of hearing. The warrant shall be executed by the Police Commissioner, Delhi, to ensure the appearance of the Secretary before the Court on date fixed....*”

It appears from the record that the only excuse is that there was a communication gap between the petitioner and the Officer concerned. As a result, he could not appear before this Court on the date fixed by this Court in connection with the present case. By MC(PIL) No. 1/2016, the petitioner is

praying for recalling the bailable warrant and by MC(PIL) No. 2/2016, the petitioner is praying for exemption of his personal appearance. Mr. Rakesh Kumar is appearing on behalf of the Secretary, Minority Affairs, Government of India.

We have given anxious consideration to the submission of learned counsels appearing for the parties and perused the Misc. applications. The two Misc. applications are allowed subject to payment of costs of ` 10,000/-. The said amount of ` 10,000/- shall be deposited by the applicant in the registry of this Court and the registry, inturn, will deposit the amount in the fund of Director, Social Welfare, Government of Meghalaya for utilizing the same for the juvenile inmates. The said cost shall be deposited within 48 hours in the registry.

The personal appearance of Mr. Amarendra Sinha is exempted with the condition that whenever the Court needs, a responsible Officer from the Ministry of Minority Affairs, Government of India should remain present in the Court.

JUDGE

CHIEF JUSTICE (ACTING)

S.Rynjah