

GAHC010128932019



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

Case No. : I.A.(Civil) 2731/2019

1:THE ASSAM POWER DISTRIBUTION COMPANY LTD. AND 2 ORS.
REP. BY ITS MANAGING DIRECTOR, BIJULEE BHAWAN, GUWAHATI-1.

2: THE CHIEF GENERAL MANAGER

F AND A
APDCL
BIJULEE BHAWAN
GUWAHATI-1

3: THE CHIEF GENERAL MANAGER
UPPER ASSAM ZONE ELECTRICITY DISTRIBUTION COMPANY LIMITED
BIDYUT BHAWAN
NA-ALI
JORHAT
ASSAM

VERSUS

1:SUKHEN KANWAR AND ANR
S/O- LATE BUDDESHWAR KANWAR, R/O- DEVELOPMENT AREA, P.O.
NIRMALIGAON, DIST.- DIBRUGARH, ASSAM.

2:SRI MANORANJAN KALITA
SUB-DIVISIONAL ENGINEER
BOKO ELECTRICAL SUB-DIVISION
APDCL
P.O. BOKO
DIST.- KAMRUP
ASSAM- 781123

Advocate for the Petitioner : MR B D DAS

Advocate for the Respondent : MR. D THAOSEN

Linked Case : /

1:THE ASSAM POWER DISTRIBUTION COMPANY LTD. AND 7 ORS

VERSUS

1:SUKHEN KANWAR AND ANR

Advocate for the Petitioner :

Advocate for the Respondent :

Linked Case : I.A.(Civil) 255/2019

1:SUKHEN KONWAR
S/O LATE BUDDESHWAR KONWAR
R/O DEVELOPMENT AREA
P.O. NIRMALIGAON
P.S. DIBRUGARH
DIST. DIBRUGARH
ASSAM.

VERSUS

1:THE ASSAM STATE ELECTRICITY BOARD AND 8 ORS
REPRESENTED BY ITS CHAIRMAN
BIJULI BHAWAN
P.O. PAN BAZAR
GUWAHATI 781001

2:THE ASSAM POWER DISTRIBUTION CO. LTD.
REPRESENTED BY THE CHIEF ENGINEER D UAZ
BIJULI BHAWAN
P.O. PAN BAZAR
GUWAHATI 781001

3:THE CHIEF GENERAL MANAGER
F AND A
ASSAM POWER DISTRIBUTION CO. LTD.
UAZ
BIJULI BHAWAN
P.O. PAN BAZAR
GUWAHATI 781001

4:THE SENIOR MANAGER
DIBRUGARH ELECTRICAL DIVISION
ASSAM POWER DISTRIBUTION CO. LTD.
DIBRUGARH
P.O. DIBRUGARH
DIST. DIBRUGARH
ASSAM.

5:THE CHIEF GENERAL MANAGER O
UPPER ASSAM ELECTRICITY DISTRIBUTION CO. LTD.
BIDYUT BHAWAN
NA-ALI
P.O. JORHAT-1
DIST. JORHAT
ASSAM.

6:THE DEPUTY GENERAL MANAGER
DIBRUGARH ELECTRICAL CIRCLE
UPPER ASSAM ELECTRICITY DISTRIBUTION CO. LTD.
P.O NIZ KADAMONI
DIBRUGARH
DIST. DIBRUGARH
ASSAM.

7:THE DEPUTY PERSONNEL MANAGER
INQUIRY OFFICER
OFFICE OF THE GENERAL MANAGER
UPPER ASSAM ZONE
UAEDCL BIDYUT BHAWAN
P.O. AND DIST. JORHAT
ASSAM.

8:THE SUB MANAGER REVENUE
DIBRUGARH ELECTRICAL SUB-DIVISION-III
UPPER ASSAM ELECTRICITY DISTRIBUTION CO .LTD.
DIBRUGARH
P.O. DIBRUGARH
DIST. DIBRUGARH
ASSAM.

9:MANORANJAN KALITA
SUB DIVISIONAL ENGINEER
BOKO
ELECTRICAL SUB DIVISION
APDCL
P.O. BOKO
DIST. KAMRUP
ASSAM.

Advocate for the Petitioner : MR. H RAHMAN
Advocate for the Respondent : SC
APDCL

BEFORE
HONOURABLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA
HONOURABLE MR. JUSTICE NELSON SAILO

ORDER

Date : 29-11-2019

(A.M.Bujor Barua,J)

Heard Mr.B.D. Das, the learned senior counsel for the applicants in IA(C) No. 2731/2019 as well as Mr. H. Rahman, the learned senior counsel for the applicants in IA (C) No. 255/2019.

Both the applicants have preferred their respective appeals against the Judgment and Order dated 23.09.2018 in WP(C) No. 1523/2010. The appeal accompanying IA (C) No. 255/2019 was preferred by the writ petitioners being aggrieved by the Judgment of the learned Single Judge to grant a back wages of 25% upon the reinstatement. The appeal in IA (C) No. 2731/2019 has been preferred by the respondents in the writ petition assailing the judgment of the learned Single Judge, whereby the writ petitioners stood reinstated by setting aside the termination. In the appeal accompanying the IA (C) No. 255/2019, there is a delay of 186 days,

whereas in the appeal preferred by the applicants in IA (C) No. 2731/2019, there is a delay of 401 days.

Both the learned senior counsel representing the rival parties agree that the delay in preferring both the appeals be condoned.

In view of such agreement, we condone the delay of 186 days in IA (C) No. 255/2019 and 401 days in IA (C) No. 2731/2019.

Both the Interlocutory Applications stand allowed.

The respective appeals preferred be registered and list it for admission.

JUDGE

Comparing Assistant