

(2021) 07 GAU CK 0118
In the Gauhati High Court

Case No : Public Interest Litigation (Suo Moto) No. 3 Of 2021

XXXX

APPELLANT

Vs

Advocate General, Assam And Anr

RESPONDENT

Date of Decision : 23-07-2021

Acts Referred:

Citation : (2021) 07 GAU CK 0118

Hon'ble Judges : Sudhanshu Dhulia, CJ;N. Kotiswar Singh, J;Ranjan Pathak, J

Bench : Full Bench

Judgement

The matter is taken up through video conferencing.

Heard Mr. U.K. Nair, learned senior counsel for the Gauhati High Court. Also heard Mr. R.K.D. Choudhury, learned Assistant Solicitor General of

India; Mr. D. Saikia, learned Advocate General, Assam; Mr. N. Dutta, learned Advocate General, Arunachal Pradesh; Mr. D. Das, learned

Advocate General, Mizoram; Mr. K. Sema, learned Additional Advocate General, Nagaland as well as Mr. J. Payeng, learned counsel representing

the Gauhati High Court Bar Association.

As we have been informed at the Bar today that the respective Benches at Kohima and Aizawl have already taken up the matter regarding the

measures to be taken in the prevailing situation of COVID-19 pandemic, which is in its second wave, and these matters are presently pending, we,

therefore, will not deal with these matters so far as they relate to the States of Nagaland and Mizoram. At the same time, since there is no such

matter pending before the Itanagar Permanent Bench, we shall continue to take up this matter as far as it relates to Arunachal Pradesh.

Mr. N. Dutta, learned Advocate General, Arunachal Pradesh has also apprised this

Court about the measures being taken by the Government to arrest the spread of COVID-19 in the State. A district-wise breakup of the situation in each district has also been given.

Our order dated 10.05.2021 so far as it relates to the Benches at Kohima, Aizawl and Itanagar shall continue to operate. It shall continue to operate for all the District Courts in Assam as well.

At the same time, since all matters are being taken up on daily basis by all respective Benches of the Principal Seat of this Court, though virtually, and

presently there is no complaint from any quarter as to the access before the Courts here in the Gauhati High Court, our order dated 10.05.2021 so far

it relates to cases before Gauhati High Court (except to the jurisdiction of the outlying Benches at Kohima, Aizawl and Itanagar), will stand vacated

on 23.08.2021, subject to any further orders of this Court in the present PIL. As such, while vacating the order dated 10.05.2021 we have given

sufficient time to the parties/ litigants, to file interlocutory application(s) for extension/ modification etc. of their interim order(s), which shall then be

dealt with on case to case basis on its merits, by the Courts concerned.

List on 9th August, 2021.