

HIGH COURT OF MEGHALAYA
AT SHILLONG

MC (PIL) No.8/2018

Date of Order: 11.03.2021

Kynjaimon Amse

Vs.

Union of India & ors

Coram:

Hon'ble Mr. Justice Biswanath Somadder, Chief Justice

Hon'ble Mr. Justice H.S. Thangkhiew, Judge

Appearance:

For the Petitioner/Appellant(s)

: Mr. S Panthi, Amicus Curiae

For the Respondent(s)

: Mr. R Deb Nath, CGC,

Mr. S Sen Gupta, Addl.Sr.GA

i) Whether approved for reporting in

Yes/No

Law journals etc.:

ii) Whether approved for publication

in press:

Yes/No

Learned advocate representing the respondent No.4, being Union of India through the Secretary, Ministry of Development of North Eastern Region (DoNER), New Delhi, relies on an affidavit affirmed by one Shri K. Moses Chalai, who has stated at the very outset in the said affidavit that he is competent and duly authorised to swear the affidavit on behalf of the respondent No.4. However, no affidavit of competency or any valid authority/Power of Attorney empowering Shri K. Moses Chalai, to affirm the affidavit of the respondent No.4 has been placed on record. We, therefore, cannot even consider the statements made in the said affidavit, which according to the learned advocate for the respondent No.4, purports to be a clarification offered by the Secretary, DoNER, Government of India,

New Delhi, before this Court, pursuant to our earlier order dated 18th February, 2021.

We, therefore, give an opportunity to the learned advocate representing the respondent No.4 to take steps to address the issues pointed out hereinabove on or before the next date.

List this matter on 23rd March, 2021 for further consideration.

(H.S. Thangkhiew)
Judge

(Biswanath Somadder)
Chief Justice

Meghalaya
11.03.2021
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