

GAHC010085902021



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

Case No. : PIL(Suo Moto)/3/2021

XXXX
GUWAHATI, ASSAM

VERSUS

THE ADVOCATE GENERAL, ASSAM AND ANR.
GOVT. OF ASSAM, GUWAHATI

2:THE GAUHATI HIGH BAR ASSOCIATION
REP. BY ITS PRESIDENT
GAUHATI HIGH COURT
GUWAHAT

Advocate for the Petitioner : SC, GHC

Advocate for the Responent : ADVOCATE GENERAL, ASSAM

- B E F O R E -

HON'BLE THE CHIEF JUSTICE MR. SUDHANSHU DHULIA

HON'BLE MR. JUSTICE N. KOTISWAR SINGH

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

23-07-2021

(Sudhanshu Dhulia, CJ)

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.**

JUDGE

JUDGE

CHIEF JUSTICE

Comparing Assistant