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ITEM NO.2

COURT NO.2

SECTION II

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CRLMP.NO. 16652/2011 in

Petition(s) for Special Leave to Appeal (Crl) No(s).6323/2011

(From the judgement and order dated 15/07/2009 in CRLA No.6/2007,
of The HIGH COURT OF GUWAHATI ,ASSAM)

FRANCIS PASSAH

Petitioner(s)

VERSUS

STATE OF MEGHALAYA

Respondent(s)

(for bail and office report))

Date: 27/04/2012

This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR

HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

HON'BLE MR. JUSTICE RANJAN GOGOI

For Petitioner(s)

Mr. Ananga Bhattacharyya,AOR.

For Respondent(s)

Mr. Ranjan Mukherjee, Adv.

Mr. S.Bhowmick, Adv.

Mr. S.C. Ghosh, Adv.

Ms. Garima Bose, Adv.

UPON hearing counsel the Court made the following

O R D E R

1. The controversy relating to the Transfer

Certificate said to have been issued to the

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petitioner by the authorities of the Seng Khasi

Morning School, Shillong, on 25th September,

1994, has become more pronounced with the

affidavit, sworn by Ms. S.R. Marak, Joint

Resident Commissioner, Meghalaya House,

Government of Meghalaya, New Delhi-11, wherein

it has been indicated that on the basis of an

inquiry conducted, the Headmistress of the School informed the Deputy Superintendent of Police, DSB, Shillong, of a letter dated 27th March, 2010, that the certificate which had been produced by Mr. Francis Passah, had not been issued by the school authorities.

2. In fact, a letter written by the Deputy Superintendent of Police, DSB, Shillong, to the Superintendent of Police, East Khasi Hills, Shillong, on 5th April, 2012, also encloses a statement made by the Headmistress of the School, in which she has denied the statement made in the affidavit filed by Mr. Francis Passah.

3. In order to resolve the dispute regarding the correctness of the versions given by the petitioner and the respondent-State, let an

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independent inquiry be conducted into the matter by the Registrar of the Gauhati High Court, Shillong Bench, to ascertain the correct state of affairs.

4. The Registry is directed to forward a copy of the paper book, and the other connected papers filed during the pendency of the matter, including the various affidavits, to the Registrar, Gauhati High Court, Shillong Bench, as early as possible, to enable him to conduct such inquiry and report back as to which of the two versions is correct.

5. Let this matter stand over till 9th July, 2012, for such report.

6. In the event, the presence of the parties are necessary in connection with the inquiry and

if the Registrar requires their presence, they
shall present themselves before the Registrar
when called upon to do so.

(Sheetal Dhingra)
COURT MASTER

(Juginder Kaur)
Assistant Registrar