

THE GAUHATI HIGH COURT  
 (HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA  
 MIZORAM AND ARUNACHAL PRADESH)  
 ITANAGAR PERMANENT BENCH  
NAHARLAGUN

Appeal from  
 Writ Petition (Civil)

Cont No...32 (AP) 2010

Shri Tanong Tatak

Appellant  
 Petitioner

-Versus-

Shri Onyok Tamuk

Respondent  
 Opposite Party

Counsel for the Appellant  
Petitioner

Ms Tamulang Taki  
 " Tabit Tapak  
 " Tabom Tabing

Counsel for the Respondent  
Opposite Party

Mr. K. Jini  
 " N. Nyomk  
 " D. Kamduk } Sole Respondent.  
 " T. Gadi  
 " D. Loyi  
 " T. Doeye }

Noting by Officer or Advocate	Serial No.	Date	Office,note,reports,orders or Proceeding with signature
(1)	(2)	(3)	(4)

**IN THE MATTER OF**

Shri Tanong Tatak S/O Shri Talom Tatak;  
village Taki Lalung; P.O/ P.S- Pasighat  
District East Siang, Arunachal Pradesh  
.....Petitioner

**-Versus-**

Shri Onyok Tamuk S/O Late Oyi Tamuk;  
Pasighat Town; P.O/P.S - Pasighat ;  
District East Siang, Arunachal Pradesh  
.....Contemnor/Respondent

**BEFORE  
THE HON'BLE MR. JUSTICE HRISHIKESH ROY**

**18.1.2011**

None appears for the petitioner when the case is called.

Mr. K. Jini, learned Counsel appearing for the sole respondent submits that the direction of the Court given on 18.8.2009 in WP(C) No. 402(AP)/2008 was required to be complied with by the Deputy Commissioner, West Siang District but the said officer has not been arrayed in the present proceeding. It is further pointed out that no direction was passed against the arrayed respondent, represented by Mr. K. Jini.

It is also submitted that the present case is not maintainable since the petitioner earlier had filed Contempt Petition No. 28(AP)/2010 alleging willful defiance of the very same direction given by this Court in WP(C) 402(AP)/2008 and that case was withdrawn by the petitioner on 9.11.2010. Accordingly Mr. Jini contends that a second contempt proceeding is not maintainable in law.

Having regard to the above contention(s) raised by the learned Counsel for the sole respondent and the withdrawal of the earlier contempt petition without leave of the Court to file a fresh one and in the absence of any direction for compliance by the sole respondent, I am of the view that this Contempt Petition should not be entertained by the Court and accordingly the same is dismissed.

A copy of the order passed on 9.11.2010 disposing of the Contempt Petition No. 28(AP)/2010 on withdrawal, be kept in the case record.

  
**JUDGE**