

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)

Rev. No. .... 16 (AP) 2010

40,000

Shri Shashi Bhushan Das,  
 -Versus-  
 State of AP & Ors

Appellant  
Petitioner

Respondent  
Opposite Party

Counsel for the Appellant  
Petitioner

T. Sorn  
 A. Rebe  
 D. Moidam  
 Ms G. Kap  
 Wita Nona

Counsel for the Respondent  
Opposite Party

CACAP)

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

IN THE MATTER OF :-

Shri Shashi Bhushan Kumar,  
Son of Shri Ramashish Singh,  
presently residing at 'E' Sector,  
Naharlagun, P.O. & P.S. Naharlagun,  
District Papum Pare, Arunachal  
Pradesh.

.....Applicant/  
Petitioner.

- V E R S U S -


1. The State of Arunachal Pradesh  
(Represented through the Chief  
Secretary), Govt. of A.P. Itanagar,  
P.O. Itanagar-791111.
2. The Commissioner (Finance),  
Govt. of Arunachal Pradesh,  
Itanagar, P.O. Itanagar-791111.
3. Shri A. Basit,  
Director of Audit and Pension,  
Govt. of A.P. Naharlagun,  
P.O. Naharlagun-791110.

.....Opp. Parties/  
Respondents.

| Noting by Officer or Advocate | Serial No. | Date | Office notes, reports, orders or proceedings with signatures  |
|-------------------------------|------------|------|---|
| 1                             | 2          | 3    | <p style="text-align: center;">4</p> <p style="text-align: center;"><b>Review Ptn. 16 (AP) 2010</b><br/>in<br/><b>WP(C) 349 (AP) 2010</b></p> <p style="text-align: center;"><b><u>BEFORE</u></b><br/><b>THE HON'BLE MR. JUSTICE P.K.MUSAHARY</b></p> <p><b>[12<sup>th</sup> January, 2011]</b></p> <p>Heard Mr. T. Son, learned counsel for the review petitioner. Heard also Ms. G. Deka, learned Addl. Senior Govt. Advocate appearing for the opp. Parties.</p> <p>By this petition, the petitioner is seeking a review of the order dated 22-09-2010 passed in WP(C) 349 (AP)/2010 in respect of paragraph-3 wherein, it has been provided that the amount due to the State Government, may be adjusted from his VRS benefits.</p> <p>It may be noted that the petitioner has been appointed to the post of Assistant Director (Audit) on deputation under the Ministry of Labour and Employment, Govt. of India for a period of 3 years and to enable him to join his new assignment, the applicant has been released, as stated by Mr. Son, learned counsel for the petitioner, vide order dated 10-01-2011. In the release order issued by the Director of Audit &amp; Pension; Govt. of Arunachal Pradesh, it is stated that recovery of the salary paid by the Govt. on account of study leave shall be subject to the outcome of the review petition filed by the incumbent, which is pending before this Court.</p> <p>The service of the review applicant is being placed under the Govt. of India on deputation <sup>in</sup> <del>to</del> the Ministry of Labour and Employment and hence, there shall be no problem/difficulty in realising the amount due from his salary.</p> <p>In view of the above, the aforesaid order dated 22-09-2010 is modified to the extent that the amount due to the Govt. of Arunachal Pradesh shall be realized from the salary of the review applicant.</p> |

*for*



| Officer or Advocate | Serial No. | Date | Office notes, reports, orders or proceedings with signatures  |
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| 1                   | 2          | 3    | 4   |
|                     |            |      | <p>It is ordered accordingly. The review petition stands disposed of.</p> <p>A copy of the order dated 10-01-2011, marked as 'X', shall be kept as a part of records.</p> <p style="text-align: right;"> <br/> <b>JUDGE</b> </p> <p>sd</p> |