

GAHC010015682024



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

Case No. : WP(C)/419/2024

DURGAKINKAR BHATTACHARYYA
S/O LATE MADHAB BHATTACHARYA, R/O VILL- BAMUN ANGRADI, P.O.-
MUGDI, DIST-NALBARI, ASSAM, PIN-781312

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO THE
GOVERNMENT OF ASSAM, INDUSTRIES, COMMERCE AND P.E.
DEPARTMENT, JANATA BHAWAN, DISPUR, GUWAHATI-781006

2:THE SECRETARY TO THE GOVERNMENT OF ASSAM
INDUSTRIES
COMMERCE AND P.E. DEPARTMENT
JANATA BHAWAN
DISPUR
GUWAHATI-781006

3:THE COMMISSIONER
INDUSTRIES AND COMMERCE
ASSAM
COMMISSIONERATE OF INDUSTRIES AND COMMERCE
UDYOG BHAWAN
BAMUNIMAIDAM
GUWAHATI-781021

4:THE GENERAL MANAGER
DISTRICT INDUSTRIES AND COMMERCE CENTRE
BAKSA
MUSHALPUR
DIST- BAKSA
ASSAM

PIN-78134

Advocate for the Petitioner : MR. M P SARMA

Advocate for the Respondent : SC, INDUSTRIES AND COMMERCE

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

12.02.2024

Mr. A. Kalita, learned Standing Counsel, Industries and Commerce Department submits that the enquiry report of the internal committee has been submitted before the competent authority and the authority under the Industries Department will pass necessary orders thereafter. That apart, the petitioner was suspended by the impugned order of suspension on 12.01.2021.

Mr. A. Chakraborty, learned counsel for the petitioner submits that the petitioner has in the meantime superannuated on 31.01.2024. Therefore, since no disciplinary proceedings have been initiated, the suspension order is required to be interfered with and his pension be released.

Mr. Kalita submits that he would like to complete his instructions in this regard and prays for two weeks time.

Accordingly, matter be listed again on 26.02.2024.

JUDGE

Comparing Assistant