

GAHC010017692024



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

Case No. : WP(C)/522/2024

SUSHANTA KR SARMA
S/O LATE KAMINI KANTA SARMA, PRESENTLY R/O HAFLONG, DIST-DIMA
HASAO, ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE ADDITIONAL SECRETARY TO THE GOVT. OF
ASSAM, PUBLIC HEALTH ENGINEERING, DISPUR, GUWAHATI-6

2:THE SECRETARY TO THE GOVT. OF ASSAM
PUBLIC HEALTH ENGINEERING
DISPUR
GUWAHATI-6

3:THE DEPUTY SECRETARY TO THE GOVT. OF ASSAM
PUBLIC HEALTH ENGINEERING
DISPUR
GUWAHATI-6

4:THE CHIEF ENGINEER PHE WATER
ASSAM
HENGRABARI
GUWAHATI-36

5:THE DISTRICT COMMISSIONER
TINSUKIA
DIST-TINSUKIA
ASSAM

6:THE EXECUTIVE ENGINEER PHE
TINSUKIA DIVISION

TINSUKIA-78612

Advocate for the Petitioner : MR R DHAR

Advocate for the Respondent : SC, P H E

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 05/02/2024

Heard Mr. R. Dhar, learned counsel for the writ petitioner. Perused the averments made in the writ petition.

Assailing the order dated 20/12/2023, by means of which, penalty of dismissal from service with disqualification for future employment was imposed upon him, the instant writ petition has been filed.

Mr. Dhar submits that no proper disciplinary enquiry was held before issuing the impugned order. The said submission of the petitioner's counsel has, however, been strongly refuted by Ms. M. Kalita, learned Standing Counsel, PHE Department, Assam. Ms. Kalita, prays for some time to file affidavit.

In view of the above, issue notice of motion returnable on 15/03/2024.

Since Ms. Kalita has accepted notice on behalf of the respondent nos. 1 to 4 & 6 and Ms. M. Bhattacharjee, learned Additional Senior Government Advocate, Assam, has accepted notice on behalf of the respondent no. 5, no formal notice is required to be sent in this case. However, extra copies of the writ petition, requisite in numbers, be furnished to the learned departmental counsel within three days from today.

Since, it is a case of dismissal from service, the respondents are directed to bring their stand

on record by filing affidavit on or before the returnable date.

List on 15/03/2024.

JUDGE

sukhamay

Comparing Assistant