

GAHC010018572026



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

**Case No. : WP(C)/969/2026**

SRI MOHAN DAS  
S/O- LATE BISHESWAR DAS ,R/O- H.NO-47, COTTON ROAD, TEZPUR,  
SONITPUR, ASSAM, PIN-784001, ASSAM

VERSUS

THE STATE OF ASSAM AND OTHERS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM, JUDICIAL DEPARTMENT, ASSAM SECRETARIAT,  
DISPUR, GUWAHATI-781006.

2: THE DISTRICT AND SESSIONS JUDGE  
SONITPUR  
TEZPUR  
ASSAM  
PIN-784001

3: OFFICE OF THE ADDL. DISTRICT AND SESSIONS JUDGE  
FTC  
TEZPUR  
DIST- SONITPUR  
ASSAM  
PIN-784001

4: TULENDRA BANIA  
CHIEF ADMINISTRATIVE OFFICER

DISTRICT AND SESSIONS JUDGE ESTABLISHMENT  
SONITPUR  
ASSAM  
PIN-784001

5:THE REGISTRAR GENERAL  
GAUHATI HIGH COURT  
MG ROAD  
UZAN BAZAR  
GUWAHATI-0

**For the Petitioner(s) : Mr. S. P. Sharma, Advocate**

For the Respondent(s) : Mr. S. S. Roy, Advocate  
Mr. H. K. Das, Advocate

BEFORE  
**HON'BLE MR. JUSTICE DEVASHIS BARUAH**  
ORDER

27.02.2026

Issue notice making it returnable on 07.05.2026.

2. Mr. S. S. Roy, the learned counsel accepts notice on behalf of respondent No.1 and Mr. H. K. Das, the learned counsel accepts notice on behalf of respondent Nos.2 & 5. Extra copies of the writ petition be served upon them during the course of the day.
3. This Court is not inclined to issue notice upon the respondent Nos.3 & 4 as no case has been made against them.
4. The petitioner herein is aggrieved by the order of compulsory retirement under Rule 56(b) of the FR & SR as applicable to the State of Assam.

5. The learned counsel appearing on behalf of the petitioner submitted that invocation of powers under Rule 56(b) of the FR & SR as applicable to the State of Assam can only be done in a case of overwhelming public interest. However, there being no public interest involved in the instant case, but rather a case of victimization, this Court should interfere with the impugned order.

6. The respondents herein, more particularly the respondent Nos.2 & 5 are directed to bring on record their stand by filing their affidavit(s) on or before 04.05.2026.

7. List accordingly.

**JUDGE**

**Comparing Assistant**