

GAHC010023362023



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

**Case No. : WP(C)/609/2023**

SMITA BARUA DEKA  
W/O MOON DEKA,  
VILL.- BETONIJHAR, GOROIMARI, TEZPUR,  
DIST.- SONITPUR, ASSAM, PIN- 784104.

VERSUS

THE STATE OF ASSAM AND 5 ORS.  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,  
EDUCATION (HIGHER) DEPTT., DISPUR, GUWAHATI- 781006.

2:THE DIRECTOR HIGHER EDUCATION  
ASSAM  
KAHILIPARA  
GUWAHATI- 781019.

3:THE GOVERNING BODY OF TEZPUR LAW COLLEGE  
TEZPUR  
REP. BY ITS PRESIDENT TEZPUR  
DIST.- SONITPUR  
ASSAM  
PIN- 784001.

4:THE GUWAHATI UNIVERSITY  
REP. BY ITS REGISTER  
GUWAHATI UNIVERSITY  
GUWAHATI  
KAMRUP (M)  
ASSAM.

5:JOY SHANKAR HAZARIKA  
PRESIDENT

GOVERNING BODY OF TEZPUR LAW COLLEGE  
TEZPUR  
SONITPUR  
ASSAM

**Advocate for the Petitioner** : MR D K DAS

**Advocate for the Respondent** : SC, HIGHER EDU

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

14.02.2023

Heard Mr. D. K. Das, the learned counsel for the petitioner and Mr. A. R. Tahbildar, the learned counsel appearing on behalf of the respondent Nos.1 & 2. Also heard Mr. U. K. Nair, the learned senior counsel assisted by Ms. D. Mahanta, the learned counsel appearing on behalf of the respondent No.3 as well as Ms. S. Sarma, the learned counsel appearing on behalf of the respondent No.5.

Mr. U. K. Nair, the learned senior counsel appearing on behalf of the respondent No.3 submitted that he has already got the records pursuant to the order dated 06.02.2023.

Ms. S. Sarma, the learned counsel appearing on behalf of the respondent No.5 submitted that pursuant to the order dated 06.02.2023 of this Court, the respondent No.5 has also filed an affidavit-in-opposition.

Mr. D. K. Das, the learned counsel for the petitioner submitted that taking into account the allegations which have been made in the affidavit-in-opposition filed by the respondent No.5, the petitioner would like to

rebut to the same and file an affidavit-in-reply for which seeks an accommodation of 2 (two) weeks.

Mr. U. K. Nair, the learned senior counsel appearing on behalf of the respondent No.3 further submitted that in the impugned order of suspension, there is a specific direction to the petitioner that the keys of the Office Almirah and the records kept by her should also be handed over to the Acting Principal. He further submitted that although this Court has not passed any interim order but till date the petitioner is holding the keys of the Almirah as well as the records for which it is difficult on the part of the respondent authorities to carry out their functions.

Taking into account that this Court has not passed any interim direction staying the suspension order, the petitioner is directed within 3 (three) days to hand over the keys of the Almirah in question as well as the records kept by her to the Acting Principal.

Let the matter be listed on **27.02.2023**.

**JUDGE**

**Comparing Assistant**