

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

Linked Case : WP(C)/292/2023

SMITA BARUA DEKA
W/O. SRI MOON DEKA
R/O. VILL. BETONIJAR
GOROIMARI
TEZPUR
DIST. SONITPUR
ASSAM
PIN-784104.

VERSUS

THE STATE OF ASSAM AND 5 ORS.
REP. BY THE COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM
EDUCATION (HIGHER) DEPT.
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 REGISTRAR
GUWAHATI UNIVERSITY
GUWAHATI
KAMRUP (M)
ASSAM.
5:SRI JOY SHANKAR HAZARIKA

PRESIDENT GOVERNING BODY OF TEZPUR LAW COLLEGE
TEZPUR.
6:DR. RUBI DUTTA

ASSTT. PROFESSOR
TEZPUR LAW COLLEGE
TEZPUR
DIST. SONITPUR
ASSAM.

Advocate for : MR D K DAS
Advocate for : SC
EDU appearing for THE STATE OF ASSAM AND 5 ORS.

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 15.05.2023

Heard Mr. M. Khataniar, the learned counsel appearing on behalf of the petitioner and Mr. U. K. Nair, the learned Senior counsel assisted by Mr. M. P. Sharma, the learned counsel appearing on behalf of the respondent No.3. I have also heard Mr. D. Upamanyu, the learned Standing counsel appearing on behalf of the respondent Nos. 1 and 2; Mr. A. Ahmed, the learned Standing counsel appearing on behalf of the respondent No.4 and Ms. S. Sharma, the learned Standing counsel appearing on behalf of the respondent No.5.

2. Upon hearing the matter, Mr. U. K. Nair, the learned Senior counsel for the respondent No.3 submits that the University has already resolved in its meeting held on 04.05.2023 to complete the departmental enquiry proceedings within a

period of 1 (one) month.

3. Taking into account the same as well as the dispute involved herein, this Court fixes the matter again on 12.06.2023.

4. In the meantime, it is clarified that by way of the instant proceedings, this Court has not stayed or suspended the enquiry proceedings. The respondent college shall be at liberty to take such action as deemed proper in accordance with law.

JUDGE

Comparing Assistant