

GAHC010032922026



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

Case No. : WP(C)/953/2026

ASIF HUSSAIN MAZUMDER
S/O MOZZAM HUSSAIN MAZUMDER, R/O SATGAON ROAD, BAGARBARI,
GUWAHATI, ASSAM, PIN 781037

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY SPECIAL CHIEF SECRETARY TO THE GOVERNMENT OF
ASSAM, DISPUR, GUWAHATI, ASSAM

2:THE SECY. TO THE GOVT. OF ASSAM

PUBLIC HEALTH ENGINEERING DEPTT.
DISPUR
GUWAHATI 6

2:THE SECRETARY TO THE GOVERNMENT OF ASSAM
REPRESENTED BY SECRETARY TO THE GOVERNMENT OF ASSAM
DISPUR
GUWAHATI
ASSAM

3:THE DEPUTY SECRETARY
REPRESENTED BY DEPUTY SECRETARY TO THE GOVERNMENT OF
ASSAM
DISPUR
GUWAHATI
ASSAM

4:THE CHIEF ENGINEER
PHE WATER
HENGRABARI

GUWAHATI
ASSAM

5:THE CHIEF ENGINEER
PHE SANITATION
HENGRABARI
GUWAHATI
ASSAM

6:THE SUPERINTENDING ENGINEER
GUWAHATI CIRCLE
BAMUNIMADAM
GUWAHATI
ASSAM

7:THE EXECUTIVE ENGINEER
PHE
GUWAHATI DIVISION I
BAMUNIMADAM
GUWAHATI
ASSA

Advocate for the Petitioner : MR. A M S MAZUMDER, A W BARBHUIYA

Advocate for the Respondent : SC, P H E,

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 20.02.2026

Heard Mr. A.M.S Mazumder, learned counsel for the petitioner. Also heard Mr. D Gogoi, learned standing counsel, P.H.E, Assam, appearing for the respondent.

2. The present Writ Petition has been instituted by the petitioner with the following prayers:

“(a) to direct the respondent No.7 to release the salary of the petitioner for the month of January/2026 and thereafter; and/or

(b) to direct the respondent No.7 to allow the petitioner to sign in the attendance register of the PHE Store Section, Hengrabari without any disturbance till the date of handing over the charge of PHE Store

Section, Hengrabari and/or till disposal of the representation dated 07/01/2026.”

3. The petitioner had earlier approached this Court by way of filing a Writ Petition being WP(C) No. 372/2026 assailing an order of transfer dated 03.01.2026. A Coordinate Bench of this Court, vide an order dated 28.01.2026, on examination of the issues and also noticing that the petitioner was posted in Guwahati for a period of around 12 (twelve) years, proceeded to dismiss of the said Writ Petition. However, a liberty was granted to the petitioner to submit a representation dated 07.01.2026 and the respondents were directed to deal with the contentions raised in the representation, on its merits. It is found that the petitioner has instituted this Writ Petition with the above noted prayer which is nothing but an attempt to re-argue the challenge to the order of transfer dated 03.01.2026, as made in WP(C) No. 372/2026. Such petition is not permissible to be entertained.

3. In the above background, on a query being made to the learned counsel for the petitioner with regard to the maintainability of the present Writ Petition, he has prayed that he be permitted to withdraw the present Writ Petition.

4. The learned counsel for the respondent has also not objected to the same.

5. In view of the above, the present Writ Petition stands dismissed on withdrawal.

JUDGE

Comparing Assistant