

GAHC010004922026



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

Case : I.A.(Civil)/751/2026

ASHOK KUMAR SARMA
S/O LATE UPENDRA NATH SARMA. R/O.- VILL - LAKHIMARI
P.O - LAKHIMARI
P.S. GOLAKGANJ
DIST DHUBRI
ASSAM
PIN-783334

VERSUS

THE UNION OF INDIA AND 5 ORS

REPRESENTED BY THE SECRETARY
MINISTRY OF HOME AFFAIRS
NORTH BLOCK
CABINET SECRETARIAT
RAISINA HILL
NEW DELHI-110001
INDIA.

2:THE DIRECTOR GENERAL
BORDER SECURITY FORCE
BLOCK NO. 10
CGO COMPLEX
LODHI ROAD
NEW DELHI
PIN 110003

3:THE ADDITIONAL DIRECTOR GENERAL

HQR SPL DG BSF EC KOLKATA
WEST BENGAL
KOLKATA
PIN-700062.

4:THE CHIEF LAW OFFICER
LAW DET LITIGATION BRANCH
FHQ
BSF
2ND FLOOR
BLOCK NO. 10
CGO COMPLEX
LODHI ROAD
NEW DELHI
PIN-110003.

5:THE COMMANDANT
HQ. MC FT
BSF
170 BN BSF
DHOLCHERA
CACHAR
ASSAM
PIN - 788127.

6:THE COMMANDANT 38TH BATTALION

BORDER SECURITY FORCE
NORTH SECTOR
DIST. JAISALMER
RAJASTHAN
PIN - 345001

Advocate for : MR A SARANIA

Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 5 ORS

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

31.03.2026

It is submitted that Interlocutory Application has been filed by the learned counsel for the applicant, seeking leave of the Court to implead the opposite

party/ respondent No. 6 as commandant 38th Battalion, Border Security Force, North Sector, Dist. Jaisalmer, Rajasthan, PIN – 345001 in WP(C) No. 462 of 2026.

It is submitted that the writ petition No. 462 of 2026 was filed by the petitioner challenging the order of dismissal from service. The said order was passed by the Commandant 38th Battalion, Border Security Force. Therefore, the said opposite party No. 6 in the Interlocutory Application is a necessary party in respect of the relief prayed for by the writ petitioner. Under such circumstances, this Interlocutory Application has been filed.

Mr. B. Charkravarty, learned CGC appears for the respondents does not object to the prayer made.

In that view of that matter and upon taking into consideration the submissions made by the learned counsel for the petitioner, this Court is of view that Interlocutory Application can be allowed at this stage without issuing any notice.

Accordingly, this Interlocutory Application stands allowed and the opposite party/ respondent No. 6, namely the Commandant 38th Battalion, Border Security Force, North Sector, Dist. Jaisalmer, Rajasthan is arrayed as party respondent No. 6 in WP(C) No. 462 of 2026.

The petitioner will file the amended cause title within 2 (two) weeks.

Accordingly this I.A. stands allowed and disposed of.

JUDGE