

GAHC010049802023



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

Case No. : WP(C)/1321/2023

AZHARUL ISLAM
S/O- LATE MOMTAZ ALI AHMED,
VILL- PORAVITA BAZAR,
P.O- JAMADARHAT,
DIST- DHUBRI, ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
EDUCATION DEPARTMENT (ELEMENTARY)
DISPUR, GHY-6.

2:THE COMMISSIONER AND SECRETARYX
TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GHY-6.

3:THE AXOM SARBA SIKSHA ABHIJAN MISSION
ASSAM
TO BE REP. BY THE MISSION DIRECTOR
KAHILIPARA
GUWAHATI-19

4:THE DISTRICT MISSION-COORDINATOR
SSA
DHUBRI
ASSAM
TO BE REP. BY THE DISTRICT MISSION COORDINATO

Advocate for the Petitioner : MR. A R BHUYAN, MRS. J BEGUM,MR. M A I HUSSAIN

Advocate for the Respondent : SC, ELEM. EDU, SC, SSA,SC, FINANCE

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

Date : 22.04.2025

Heard Mr. A.R. Bhuyan, learned counsel for the petitioner. Also heard Mr. P.N. Sarma, learned Standing counsel for the respondent No. 1; Mr. A. Chaliha, learned Standing counsel for the respondent No. 2 and Mr. B. Choudhury, learned Standing counsel for the respondent Nos. 3 and 4.

During the course of hearing, Mr. Bhuyan, learned counsel for the petitioner submits that the petitioner has allegedly been placed under suspension, but the suspension order has not been furnished to him till date and the affidavit filed by the respondent Nos. 3 and 4 is also silent on this point, and that he has not been furnished the charge memo and list of witnesses and the document and also he has not been given the subsistence allowance till date.

To a pointed query, Mr. Choudhury, learned Standing counsel for the respondent Nos. 3 and 4 submits that he may be granted some time to place on record the suspension order before this Court. Mr. Choudhury further submits that departmental proceeding has already been initiated against the petitioner and hearing also took place on some dates, but he is not aware of the latest status of the said departmental proceeding, and he prays for granting him some time to apprise this Court about the latest status of the departmental proceeding initiated against the petitioner.

Prayer is allowed.

List the matter on 08.05.2025, as part heard.

JUDGE

Comparing Assistant