

GAHC010051392025



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

Case No. : WP(C)/1391/2025

RAKESH DAS
S/O BHAGABAN DAS, R/O H.NO- 45, 6TH MILE, SASAL MANIMUGDHA
NAGAR, P.O-KHANAPARA, P.S-DISPUR, DISTRICT-KAMRUP (M), ASSAM-
781022

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO THE
GOVERNMENT OF ASSAM, HOME AND POLITICAL DEPARTMENT,
DISPUR, GUWAHATI 781006

2:THE ADDITIONAL CHIEF SECRETARY
TO THE GOVERNMENT OF ASSAM
SKILL
EMPLOYMENT ENTERPRENEURSHIP DEPARTMENT
DISPUR
GUWAHATI-781006.

3:THE SECRETARY
TO GOVERNMENT OF ASSAM
THE SKILL
EMPLOYMENT ENTERPRENEURSHIP DEPARTMENT
DISPUR
GUWAHATI-781006

4:THE ADDITIONAL SECRETARY
TO THE GOVERNMENT OF ASSAM
SKILL
EMPLOYMENT ENTERPRENEURSHIP DEPARTMENT
DISPUR
GUWAHATI-78100

Advocate for the Petitioner : MS. B CHOWDHURY, MR A CHOWDHURY,IMSENKALA,MR S DUTTA

Advocate for the Respondent : GA, ASSAM, SC, EMPLOYMENT EXCHANGE

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date :07/04/2025

Heard Mr. A. Chowdhury learned senior counsel assisted by Ms. B. Chowdhury, learned counsel appearing for the writ petitioner(s) in this batch of writ petitions. Also heard Mr. N. Kohli, learned senior counsel assisted Mr. A. Roy, learned counsel, Ms. N. Menon, learned counsel and Mr. D. Nath, learned Senior Government Advocate, Assam, appearing for the respondents/applicant(s).

In this batch of writ petitions, the show cause notice dated 30/11/2023 as well as the order of suspension, also dated 30/11/2023, issued to the individual writ petitioners, placing them under suspension, have been assailed *inter-alia* on the ground that the One Man Commission report was a flawed one due to violation of various statutory provisions and, therefore, reliance placed on the One Man Commission's report while issuing the impugned show cause notice/suspension order, has a vitiating effect on the said orders. Mr. Chowdhury, learned senior counsel for the writ petitioners further submits that since the petitioner(s) had/have already suffered prolonged suspension, hence, this is a fit case where the impugned order(s) of suspension deserves to be interdicted by this Court.

Mr. N. Kohli, learned senior counsel appearing for the respondents/applicants, on the other hand, submits that there is a batch of writ petitions pending before this Court on the same issue and the State Government has already filed Interlocutory Applications i.e. IA(C) 632/2025 in WP(C) 5862/2024 and IA(C) 634/2025 in WP(C) 6191/2024 praying for vacating the interim orders earlier passed by this Court, suspending the departmental proceeding as well as the suspension order which is in the nature of granting final relief to the writ petitioners. Under such circumstances, either the I.As be taken up for first or the writ petitions be heard and decided on merit at an early date.

The learned counsel for both the sides have agreed to early hearing and final disposal of the writ petitions by submitting that subject to a definite schedule for exchange of pleadings and hearing framed by the Court for final hearing of all the writ petitions, they are agreeable to such an

order.

Taking note of the submissions made at the bar, the Registry is directed to list these writ petitions along with WP(C) 5862/2024, WP(C) 6191/2024, WP(C) 532/2025, WP(C) 5770/2024, WP(C) 534/2025, WP(C) 5249/2024, WP(C) 3698/2024, WP(C) 1382/2025, WP(C) 3705/2024, WP(C) 1380/2025, WP(C) 5229/2024, WP(C) 536/2025, WP(C) 535/2025, WP(C) 5610/2024, WP(C) 568/2025, WP(C) 5666/2024, WP(C) 541/2025, WP(C) 5754/2024, WP(C) 4668/2024, WP(C) 573/2025, WP(C) 562/2025, WP(C) 5381/2024, WP(C) 5552/2024, WP(C) 6311/2024, WP(C) 5594/2024, WP(C) 6856/2024, WP(C) 540/2025, WP(C) 542/2025, WP(C) 574/2025, WP(C) 537/2025, WP(C) 5768/2024, WP(C) 539/2025, WP(C) 572/2025, WP(C) 561/2025, WP(C) 5747/2024, WP(C) 6439/2024, WP(C) 566/2025, WP(C) 5483/2024, WP(C) 1391/2025 and WP(C) 832/2025.

The respondents State may file their counter affidavit in the writ petitions on or before 30/04/2025 by serving advance copy(s) upon the petitioner's counsel.

The petitioner(s) may file rejoinder within two weeks thereafter, if so advised.

All the writ petitions are directed to be listed for final hearing and disposal, as fixed items on 29/05/2025, with the understanding that neither party will seek adjournment on that date. If necessary, hearing will continue on day to day basis.

Interim order(s) passed in WP(C) 5862/2024 and WP(C) 6191/2024 to continue until further order.

However, taking note of the submission of Mr. Kohli that contempt petitions are pending against the officials, he is given liberty to suitably mention the matters as and when the contempt cases are listed before the Court.

JUDGE

Comparing Assistant