

GAHC010063462025



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

Case No. : WP(C)/1754/2025

RAMJAN ALI AHAMED

S/O- LATE HABIBAR RAHAMAN, PERMANENT R/O- BABUPARA BYE
LANE- 1, DINHATA MUNICIPALITY WARD NO. 2, DIST- KOCH BEHAR,
WEST BENGAL, PIN- 736135, PRESENTLY RESIDING AT- HOUSE NO. GS-
177553I, MSWPNR, C/O- 99 APO, EASTERN BASE WORKSHOP (GREF), B.P.
TINALI, TEZPUR, ASSAM, PIN- 784151, SUB-DISTRICT- TEZPUR, DIST.
SONITPUR, ASSAM

VERSUS

THE UNION OF INDIA AND 6 ORS
THROUGH SECRETARY, GOVT. OF INDIA, MINISTRY OF DEFENCE,
BORDER ROAD WING, 4TH FLOOR B WING, SENA BHAWAN, NEW DELHI-
110011.

2:THE DIRECTOR GENERAL OF BORDER ROAD ORGANIZATION
MINISTRY OF DEFENCE
GOVERNMENT OF INDIA
SEEMA SADAK BHAWAN
RING ROAD
DELHI CANTT
NEW DELHI.

3:THE OFFICER-IN-CHARGE (OIC)
RECORD OFFICE GENERAL RESERVE ENGINEER FORCE GREF
DIGHT CAMP
BUS STOP
MAHASKIBASTI
ST DNYANESHWAR RD
KUSMADE COLONY
KALAS
PUNE

MAHARASHTRA-411015.

4:MAJOR

RECORD OFFICE GENERAL RESERVE ENGINEER FORCE GREF
DIGHT CAMP
BUS STOP
MAHASKIBASTI
ST DNYANESHWAR RD
KUSMADE COLONY
KALAS
PUNE
MAHARASHTRA-411015.

5:SENIOR ADMINISTRATIVE OFFICER STAFF OFFICER
RECORD OFFICE GENERAL RESERVE ENGINEER FORCE GREF
DIGHT CAMP
BUS STOP
MAHASKIBASTI
ST DNYANESHWAR RD
KUSMADE COLONY
KALAS
PUNE
MAHARASHTRA-411015.

6:THE COMMANDANT
EASTERN BASE WORKSHOP (EBW)
GENERAL RESERVE ENGINEER FORCE (GREF)
TEZPUR-784151
C/O- 99 APO.

7:ASSISTANT ADMINISTRATIVE OFFICER
FOR ADDITIONAL DGBR (EAST)
GENERAL RESERVE ENGINEER FORCE GREF
JALUKBARI
NEAR LANKESHWAR TEMPLE
GUWAHATI
ASSAM-781013

Advocate for the Petitioner : MD F FARIDI,

Advocate for the Respondent : DY.S.G.I.,

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

28.03.2025

Heard Md. F. Faridi, learned counsel for the petitioner. Also heard Mr. AK Dutta, learned CGC.

The petitioner claims to be a person with disability of locomotor disability of 50% and it is apprehended that the petitioner is unfit for serving in high altitude regions. The petitioner was posted in Tezpur. However, by impugned order dated 11.09.2024 the respondent Authorities transferred the petitioner to Jammu Tawi. It is submitted that he had earlier approached this Court by filing WP(C) No.744/2025 which came to be disposed of on 13.02.2025 directing the respondents to examine the matter on merit and pass a speaking order. Pursuant to the directions issued, the case of the petitioner was examined and by issuing a speaking order dated 05.03.2025, the respondent Authorities rejected the petitioner's application and upheld the transfer order. Being aggrieved, the petitioner is again before this Court by filing the present writ petition.

Learned counsel for the petitioner has referred to the restrictions applicable to the petitioner because of the disability and submits that he is not fit for high altitude duty and place where being he sought to be transferred is admittedly a high altitude station. He, therefore, submits that the transfer order be interfered with and till the matter is disposed of adequate interim order be issued.

Mr. AK Dutta, learned CGC submits that the matter was examined in depth and thereafter, the respondents had passed the order sustaining the transfer order dated 11.09.2024 issued earlier to the petitioner.

At this stage, Issue Notice, returnable on 28.04.2025.

Mr. AK Dutta, learned CGC appears for the all respondents.

Since all the respondents are represented by Mr. AK Dutta, learned CGC, notices are waived. Extra copies be furnished to him within 2 (two) weeks from today.

Mr. AK Dutta may complete his instructions and file necessary affidavit, if so advised in the meantime.

Taking into consideration the submissions made, till the next date fixed, status quo in respect of the transfer order dated 11.09.2024 as well as the speaking order dated 05.03.2025 shall be maintained.

List the matter on 28.04.2025.

JUDGE

Comparing Assistant