

GAHC010064522024



undefined

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

Case No. : WP(C)/1823/2024

RUBUL SAIKIA AND 9 ORS
SON OF SRI BALADAR SAIKIA,
RESIDENT OF VILLAGE- NO.1 TALTALA,
KALITAKUCHI, P.S.- SATGAON,
PO- SATGAON, KAMRUP(M), GUWAHATI- 781027.

2: JADAV CHANDRA DEKA
SON OF LATE GHANA KT. DEKA
RESIDENT OF VILLAGE- PACHIM KURUWA
P.O.- KURUWA
P.S.- SIPAJHAR
DISTRICT- DIRANG
ASSAM- PIN- 784145.

3: JAGADISH RAJBONGSHI
SON OF LATE SIDHIRAM RAJBONGSHI
RESIDENT OF VILL. JYOTINAGAR
P.O.- CHANDMARI AND P.S.- CHANDMARI
DISTRICT- KAMRUP
GUWAHATI- 781003.

4: SHANKAR RAMCHIARY
SON OF PAIMAN RAMCHIARY
RESIDENT OF VILLAGE- URMINAGAR
P.O.- NOONMATI
P.S.- NOONMATI
DISTRICT- KAMRUP(M)
ASSAM-781020.

5: JATINDRA BORO

SON OF CHANARAM BORO
RESIDENT OF VILLAGE- CHANDMARI RUDRA NAGAR
P.O.- CHANDMARI
P.S.- CHANDMARI
DISTRICT- KAMRUP(M)- 781020

6: CHANAKYA KALITA
SON OF LATE HARESWAR KALITA
VILL- RATANPUR
P.O.- SIALMARI
P.S.- TIHU
DIST.- NALBARI
ASSAM- 7813871

7: RINA PATHAK
WIFE OF LATE DHARMESWAR PATHAK
RESIDENT OF VILL.- KAILASHPUR
P.O.- SILPUKHURI
P.S.- CHANDMARI
DIST.- KAMRUP(M)
GUWAHATI
ASSAM
PIN- 781003.

8: MD TAHID ALI
SON OF MD TABZIL ALI
VILL- SIMULA
P.O.- BALISATHA
P.S.- KAYAN
DIST.- KAMRUP(M)
GUWAHATI
ASSAM
PIN- 781345.

9: DIL MOHAMMAD ALI
SON OF PUTUL ALI
VILL. JAPIA
P.S. HAJO
DIST. KAMRUP
ASSAM
PIN- 781102.

10: TARUN GOGOI

SON OF SUSIL GOGOI
RESIDENT OF VILL. SALBARI BAPUJI NAGAR
P.O.- NOONMATI
P.S.- NOONMATI
DIST.- KAMRUP(M)
GUWAHATI
ASSAM
PIN- 781020

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM,
HOME AND POLITICAL DEPARTMENT, DISPUR, GUWAHATI- 781016.

2:THE DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI
GUWAHATI- 781007.

3:THE DIRECTOR GENERAL OF CIVIL DEFENCE AND COMMANDANT
GENERAL OF HOME GUARDS
ASSAM
BELTOLA
GUWAHATI- 781028.

4:THE DISTRICT COMMANDANT
HOME GUARDS
KAMRUP
PANIKHAITI
GUWAHATI- 781026.

5:THE COMMISSIONER OF POLICE
GUWAATI
OFFICE OF THE COMMISSIONER OF POLICE
ASSAM- 781001.

6:THE DEPUTY COMMISSIONER OF POLICE (ADMN.)
GUWAHATI
ASSAM

Advocate for the Petitioner : MR H GUPTA, MR Y. BARBHUIYA

Advocate for the Respondent : GA, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO**

ORDER

Date : 27-05-2025

Mr. H Gupta, learned counsel for the petitioners submits that the petitioners have been terminated from their service without following the principle of natural justice and that the case of the petitioners is squarely covered by the judgment in the case of *Davinder Singh & Ors. vs. State of Punjab & Ors.*, reported in *(2010) 13 SCC 88*.

Ms. M Bhattacharjee, learned Additional Senior Government Advocate submits that she may be given some time to go through the said judgment and give a response.

List the matter on *12.06.2025* for *hearing*.

JUDGE

Comparing Assistant