

GAHC010064932025



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

Case No. : WP(C)/1782/2025

GAUTAM BHUYAN
S/O LT JIBON CHANDRA BHUYAN R/O VILL GARAMUR NEAR D C OFFICE
MAJULI PO AND PS GARAMUR SATRA DIST MAJULI ASSAM 785104

VERSUS

THE STATE OF ASSAM AND ORS
REP BY THE CHIEF SECRETARY TO THE GOVT OF ASSAM, LOK SEWA
BHAWAN DISPUR GUWAHATI 781006, ASSAM

2:THE COMMISSIONER AND SECRETARY
TO THE GOVT OF ASSAM GENERAL ADMINISTRATION DEPT
ASSAM SECRETARIAT DISPUR GUWAHATI
ASSAM 781006

3:THE JOINT SECRETARY TO THE GOVT OF ASSAM
GENERAL ADMINISTRATION DEPT
ASSAM SECRETARIAT DISPUR GUWAHATI
ASSAM 781006

4:THE DISTRICT COMMISSIONER
JORHAT
O/O DISTRICT COMMISSIONER JORHAT ASSAM 785001

5:THE DISTRICT COMMISSIONER
MAJULI
O/O THE DISTRICT COMMISSIONER GARAMUR MAJULI ASSAM 78510

Advocate for the Petitioner : MR. S P SHARMA,

Advocate for the Respondent : GA, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 02/04/2025

Heard Mr. S.P. Sharma, learned counsel for the writ petitioner. Perused the statements made in the writ petition.

The transfer order dated 17/01/2025 issued by the Commissioner and Secretary to the Government of Assam, GAD, transferring the petitioner from the office of the District Commissioner, Majuli and posting him in the office of the District Commissioner, Jorhat, in the same capacity of Senior Assistant, has been put under challenge in this writ petition on the ground that the transfer would adversely effect the seniority position of the petitioner, inasmuch as, due to the order of transfer, his seniority position would now be downgraded.

Mr. Sharma submits that the order of transfer is clearly violative of the conditions of service of the petitioner.

Mr. T.C. Chutia, learned Additional Senior Government Advocate, Assam, appearing for the official respondents, prays for some time to obtain instruction.

Issue notice of motion returnable in six weeks.

Since Mr. T.C. Chutia, learned Additional Senior Government Advocate, Assam, has appeared and accepted notice on behalf of the respondent nos. 1, 2 & 5 and Mr. A. Phukan, learned Standing Counsel, GAD has accepted notice on behalf of the respondent nos. 2 & 3, service of notice is deemed to be complete in this case. However, extra copies of the writ petition, requisite in numbers, be furnished to the learned departmental counsel within one week from today.

Since the petitioner has already joined in the office of the District Commissioner, Jorhat,

although under protest, no interim order is called for, at this stage. However, it is provided that regular salary of the petitioner as per his entitlement shall be released, if he is discharging his duties in the office of the District Commissioner, Jorhat.

JUDGE

Comparing Assistant