

GAHC010085922026



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

Case No. : WP(C)/2376/2026

SHRI SURJYA BARUAH
SON OF LT. NIRMAN CH. BARUAH, RESIDENT OF HOUSE NO.5 CHANAKYA
PATH, ABC, GUWAHATI, ASSAM, PIN- 781005

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY ADD. CHIEF SECRETARY TO THE GOVERNMENT OF
ASSAM WOMEN AND CHILD DEVELOPMENT DEPARTMENT, DISPUR,
GUWAHATI-6

2:THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM
WOMEN AND CHILD DEVELOPMENT DEPARTMENT
DISPUR
GUWAHATI-6

3:THE SECRETARY TO THE GOVERNMENT OF ASSAM
WOMEN AND CHILD DEVELOPMENT DEPARTMENT
DISPUR
GUWAHATI-6

4:THE UNDER SECRETARY TO THE GOVERNMENT OF ASSAM
WOMEN AND CHILD DEVELOPMENT DEPARTMENT
DISPUR
GUWAHATI-

Advocate for the Petitioner : MR. J PATOWARY, P MAZUMDAR,MR. D K BAIDYA

Advocate for the Respondent : SR. GA, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

08.05.2026

Heard Mr. J Patowary, learned counsel for the petitioner.

The petitioner is aggrieved that the respondent Department has initiated the Disciplinary Proceedings against the writ petitioner and contends that participation therein would prejudice the defence sought to be taken by the petitioner in the event the criminal proceedings proceed against him. At this stage, according to the instructions received, the charge sheet has been filed on 04.06.2025 in respect of the Vigilance PS Case No.10/2025 corresponding to Spl. Case No.52/2025. The charge hearing has not yet commenced. On the other hand, the Enquiry Officer has been appointed by the respondent Department.

Considering the submissions made, at this stage, let notice be issued, returnable by 3 (three) weeks.

Mr. JK Goswami, learned Additional Senior Government Advocate, Assam appears and accepts notice on behalf of the respondents no. 1, 2, 3 & 4. Since all the respondents are represented by Mr. JK Goswami, learned Additional Senior Government Advocate, Assam, notices are waived. However, extra copies

be furnished to him within 3 (three) working days from today.

Issue notice on the interim prayer, returnable by 29.05.2026.

List the matter again on 29.05.2026.

JUDGE

Comparing Assistant