

GAHC010085972022



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

Case No. : WP(C)/2992/2022

RANJIT SAIKIA
S/O- BIREN SAIKIA
R/O- VILLAGE DEKASUNDAR
NEAR I.B, P.O- JAMUGURIHAT
P.S- SOOTEA, DIST- SONITPUR
ASSAM, PIN-784180

VERSUS

THE STATE OF ASSAM AND 3 ORS.
REPRESENTED BY THE COMMISSIONER AND SPECIAL SECRETARY TO
THE GOVERNMENT OF ASSAM, PUBLIC WORKS (ROADS) DEPARTMENT,
DISPUR, GUWAHATI-781006

2:THE DEPUTY SECRETARY
TO THE GOVERNMENT OF ASSAM
PUBLIC WORKS (ROADS) DEPARTMENT
(ESTABLISHMENT B) BRANCH DISPUR
GUWAHATI-781006

3:THE CHIEF ENGINEER
PUBLIC WORKS (ROADS) DEPARTMENT
CHANDMARI
GUWAHATI-781003

4:THE EXECUTIVE ENGINEER
PUBLIC WORKS (ROADS) DEPARTMENT
BISWANATH DISTRICT TERRITORIAL ROAD DIVISION
BISWANATH CHARIAL

Advocate for the Petitioner : MR. N BORAH

Advocate for the Respondent : SC, PWD

**BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

ORDER

11.05.2022

Heard Mr. N. Borah, learned counsel for the petitioner, who submits that the petitioner has been imposed with the penalty of withholding 2 (two) increments without cumulative effect as per clause No.3.5.2 of the Discipline & Appeal Rules 1964 without any departmental proceeding being initiated against the petitioner. He submits that the penalty has been imposed on the basis of a preliminary enquiry initiated by the State respondents.

Issue Notice returnable in 4 (four) weeks.

Mr. P. Nayak, learned counsel accepts notice for all the respondents.

List the matter on 15.06.2022, by which date Mr. P. Nayak shall obtain instructions as to whether any departmental enquiry was initiated against the petitioner, prior to imposition of the penalty.

JUDGE

Comparing Assistant