

GAHC010096592018



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

Case No. : WP(C)/2959/2018

DR. BHABATOSH KUMAR ROY,
S/O- LT N K ROY, PROFESSOR AND HEAD OF THE DEPTT., DEPTT. OF
ORTHODONTICS, REGIONAL DENTAL COLLEGE, P.O. NARAKASUR, GHY-
32, KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS.
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
HEALTH AND FAMILY WELFARE (B) DEPTT., DISPUR, GHY-6

2:THE PRINCIPAL
REGIONAL DENTAL COLLEGE
P.O. NARAKASUR
GHY-32 KAMRUP (M)
ASSAM

3:MITALI BORA
(PROFESSOR). DEPTT. OF ORTHODONTICS
REGIONAL DENTAL COLLEGE
P.O. NARAKASUR
GHY-32 KAMRUP (M)
ASSAM

4:NORTH EAST COUNCIL REP. BY THE SECRETARY
HAVING ITS HEAD OFFICE AT SHILLON

Advocate for the Petitioner : MR. S K GOSWAMI, MR. A KALITA,MR. B K GOSWAMI,MR. N
BARMAN

Advocate for the Respondent : SC, HEALTH, MR. B DEKA (R4),MR. B P CHANGMAI (R4)

**BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

ORDER

Date : 06.01.2025

The petitioner in the present proceeding has raised a grievance with regard to denial to him, of his due promotion with consequential financial benefits w.e.f. 17.01.2006.

A perusal of the affidavit filed by the respondent No. 3, herein, would go to reveal that the respondent authorities had vide Notification, dated 14.11.2012, promoted the petitioner with retrospective effect i.e. w.e.f. 17.01.2006.

The said affidavit also brings on record a RTI reply to the petitioner, herein, wherein, it was stated that the File was under process for granting of financial benefits to the petitioner on account of his retrospective promotion to the post of Professor.

Mr. S. K. Goswami, learned counsel for the petitioner, submits that even as on date; the petitioner has not been granted the consequential financial benefits flowing from the Notification, dated 14.11.2012 pursuant to his retrospective promotion to the post of Professor w.e.f. 17.01.2006.

In view of the above position, Mr. B. P. Bora, learned standing counsel, Health & Family Welfare Department, shall receive instructions in the matter as to why the financial benefits flowing to the petitioner in terms of the Notification, dated 14.11.2012, as well as the directions passed by a Division Bench of this Court in the matter in WA 232/2012, has not been granted to him as yet.

List it again on 9th of January, 2025, as prayed for.

JUDGE

Comparing Assistant