

GAHC010099332025



2026:GAU-AS:719

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

Case No. : WP(C)/2797/2025

SAHJAHAN ALI
S/O- KASHIM ALI, PERMANENT R/O. VILL- AKADI, P.O. AKADI, P.S. HAJO,
PIN- 781102, DIST. KAMRUP, ASSAM.

VERSUS

THE STATE OF ASSAM AND 5 ORS
REP. BY CHIEF SECRETARY GOVT. OF ASSAM, HOME DEPT., DISPUR,
GUWAHATI, PIN 781006.

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

3:THE COMMISSIONER OF POLICE

GOVT. OF ASSAM
ASSAM
PIN 781001.

4:THE OFFICER IN CHARGE

GARCHUK
POLICE STATION
KAMRUP (M)
GUWAHATI
PIN- 781035.

5:THE OFFICER IN CHARGE
ISBT OUTPOST

BETKUCHI
PIN- 781035.

6:THE DISTRICT COMMANDANT
HOME GUARDS
KAMRUP
PANIKHAITI
GUWAHATI
PIN 781026

For the Petitioner(s) : Ms. A. Mahanta, Advocate

For the Respondent(s) : Mr. R. Dhar, Government Advocate

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 21.01.2026

Heard Ms. A. Mahanta, the learned counsel appearing on behalf of the Petitioner and Mr. R. Dhar, the learned Government Advocate appearing on behalf of all the Respondents.

2. The Petitioner herein is aggrieved by the verbal suspension w.e.f. 31.03.2024 and as such has approached this Court by filing the present writ petition.

3. The record reveals that the writ petition was filed on 08.05.2025. This Court vide an order dated 26.06.2025 was not inclined to issue notice however sought for instructions from the Respondents as to why the Petitioner was put under verbal suspension w.e.f. 31.03.2024.

4. Today, when the matter is being taken up, Mr. R. Dhar, the learned Government Advocate appearing on behalf of the Respondents submitted

that in view of the involvement of the Petitioner in Gorchuk P.S. Case No.98/2024 registered under Sections 387/506/34 of the Indian Penal Code, the Petitioner was discharged from his service w.e.f. 04.04.2024. In that regard, he has placed before this Court a set of instructions which are collectively kept on record and marked with the letter "X".

5. Further to that, the order of discharge dated 04.04.2024 was placed before this Court which is kept on record and marked with the letter "Y".

6. Taking into account that the Petitioner has already been discharged from his service, the very edifice on which the instant writ petition has been filed seems to be misconceived and without there being a challenge to the order of discharge dated 04.04.2024, no relief can be granted in favour of the Petitioner.

7. Accordingly, this Court therefore dismisses the instant writ petition on the ground that it is a misconceived writ petition. However, it is observed that if the Petitioner is aggrieved by the order dated 04.04.2024, a copy of which has been handed over by Mr. R. Dhar, the learned Government Advocate to Ms. A. Mahanta, the learned counsel for the Petitioner, the Petitioner would be at liberty to again approach this Court by filing a fresh writ petition.

JUDGE

Comparing Assistant