

GAHC010107912026



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

Case No. : WP(C)/2829/2026

SRI BIKRAM BISWAS
SON OF BIDUR BISWAS PERMANENT RESIDENT OF VILLAGE
SANKARDEV NAGAR P.O. MORIGAON P.S. AND DISTRICT MORIGAON
782105 ASSAM PRESENTLY RESIDING AT VILLAGE BHALUKDUBI PO
BHALUKDUBI PS GOALPARA DISTRICT GOALPARA ASSAM, (PRESENTLY
SERVING UNDER THE ESTABLISHMENT OF THE CHIEF JUDICIAL
MAGISTRATE, GOALPARA AS CHOWKIDAR

VERSUS

THE STATE OF ASSAM AND 5 ORS
LR AND JUDICIAL DEPARTMENT GOVT OF ASSAM REPRESENTED BY ITS
COMMISSIONER AND SECRETARY E BLOCK 2ND FLOOR ASSAM
SECRETARIAT DISPUR GUWAHATI 06 ASSAM

2:OFFICE OF THE REGISTRAR GENERAL GAUHATI HIGH COURT
REPRESENTED BY ITS REGISTRAR GENERAL GAUHATI HIGH COURT
LATASIL UZAN BAZAR GUWAHATI ASSAM 781001

3:OFFICE OF THE REGISTRAR (VIGILANCE)
RFEPRESENTED BY ITS REGISTRAR (VIGILANCE) GAUHATI HIGH COURT
LATASIL UZAN BAZAR GUWAHATI ASSAM PIN- 781001 ASSAM

4:OFFICE OF THE CHIEF JUDICIAL MAGISTRATE
DISTRICT JUDICIARY COURT COMPLEX BHALUKDUBI DISTRICT
GOALPARA ASSAM 183101

5:OFFICE OF THE DISTRICT AND SESSION JUDGE BONGAIGAON
REPRESENTED BY DISTRICT AND SESSION JUDGE BONGAIGAON
DISTRICT COURT COMPLEX DEURIPARA PO AND PS BONGAIGAON
DISTRICT BONGAIGAON ASSAM PIN- 783380

6:SRI MINTU CH. RAY
DRIVER
OFFICE OF THE DISTRICT AND SESSIONS JUDGE
ADDRESS- DISTRICT COURT COMPLEX DEURIPARA PO AND PS
BONGAIGAON DISTRICT BONGAIGAON ASSAM
PIN- 783380

7:SRI MINTU CH. RAY
DRIVER
OFFICE OF THE DISTRICT AND SESSIONS JUDGE
ADDRESS- DISTRICT COURT COMPLEX DEURIPARA PO AND PS
BONGAIGAON DISTRICT BONGAIGAON ASSAM
PIN- 78338

Advocate for the Petitioner : MR. S CHAMARIA, MR M M ZAMAN,MOMI KALITA,MR N M DEKA

Advocate for the Respondent : GA, ASSAM, SC, GHC

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

01.06.2026

Heard Mr. S Chamaria, learned counsel for the petitioner.

The petitioner is aggrieved by the impugned order of transfer dated 13.05.2026 issued in favour of the private respondent no.6 transferring the private respondent from his present place of posting at Bongaigaon to the office of the Chief Judicial Magistrate, Goalpara against the vacant post of Driver. Learned counsel for the petitioner submits that this notification issued is violative of the provision of the Civil Court Rules and Regulations of the High Court and also transfer policy of the Ministerial staff in the District Judiciary,

Assam. It is submitted that the transfer order was purportedly issued by the Registrar (Vigilance) and the authority is not competent authority to issue such order. Being aggrieved, the present writ petition has been filed.

Learned counsel for the petitioner therefore submits that the impugned order of transfer dated 13.05.2026 be interfered with and till the writ petition stands disposed of the order be stayed.

Issue Notice, returnable by 10.06.2026.

Ms. S Baruah, learned State Counsel accepts notice on behalf of the respondent no.1 & 4 and Ms. S Sharma, learned counsel for the GHC appears and accepts notice on behalf of the respondents no. 2, 3, & 5.

Since the respondents no. 1 to 5 are represented by their respective counsel, notices are waived. However, extra copies be furnished to them within 1 (one) week from today.

Learned counsel or the petitioner shall take steps for service of notice on the respondent no.6 by speed post within 3 (three) working days from today.

Issue notice on the interim prayer, returnable by 10.06.2026

List the matter again on 10.06.2026.

JUDGE

Comparing Assistant