

GAHC010121042023



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

Case No. : PIL/45/2023

PRITOM HAZARIKA AND ANR
S/O- HARENDRA KUMAR HAZARIKA, R/O- MANIK NAGAR, P.O.
JAPORIGOG, P.S. DISPUR, PIN- 781005, GUWAHATI, KAMRUP(M), ASSAM

2: JON JYOTI SARMAH
S/O- LATE JAMINI SARMAH
R/O- KHUTIKATIA
NAGAON
PIN- 782002
DIST. NAGAON
ASSA

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM,
ASOM SACHIVALAYA, DISPUR, GUWAHATI, PIN- 781006, KAMRUP(M),
ASSAM

2: THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
PERSONNEL DEPARTMENT
ASOM SACHIVALAYA
DISPUR
GUWAHATI
PIN- 781006
ASSAM

3: THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF HOME AND POLITICAL
ASOM SACHIVALAYA
DISPUR
GUWAHATI
PIN- 781006
KAMRUP METRO

ASSAM

4:THE DIRECTOR GENERAL OF POLICE

ASSAM

KAMRUP(M)

GUWAHATI

PIN- 781007

ASSAM

5:THE COMMITTEE CONSTITUTED FOR IMPLEMENTATION
OF ONE MAN INQUIRY COMMISSION HEADED BY JUSTICE (RETD.) B K
SHARMA

RETIRED JUDGE OF HONBLE GAUWATI HIGH COURT REGARDING
ANOMALIES AND MALPRACTICES IN CONDUCT OF EXAMINATIONS BY
APSC IN CCE- 2013 (REPRESENTED BY ITS MEMBER SECRETARY)
OFFICE OF THE INQUIRY COMMISSION RELATING TO AFFAIRS OF APSC
MAGISTRATE COLONY

1ST FLOOR

HOUSE NO 4

HEDAYATPUR

GUWAHATI-781003

KAMRUP(M)

ASSAM

Advocate for the Petitioner : MR. M K CHOUDHURY

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

22.04.2024

(Vijay Bishnoi, CJ)

Mr. D. Nath, learned Senior Government Advocate, Assam has produced the status report in respect of the Criminal Case No.936/2016 registered under the provisions of the Prevention of Corruption Act as well as the IPC in sealed cover. Learned counsel appearing for the petitioners has submitted that in view of the observations made by this Court in its decision dated 15.10.2015 in PIL

No.48/2015 and other connected PILs and in view of the One-Man Commission report, the State Government is required to take action against the guilty persons without adhering to the procedure prescribed in the Assam Discipline and Appeal Rules, 1964. The learned counsel for the petitioners, however, seeks some time to address the Court on this issue.

Admit.

No need to issue notice as the parties are already represented.

The status report produced by Mr. D. Nath, learned Senior Govt. Advocate, Assam be placed on record in sealed envelope.

List this matter for hearing in due course.

The pendency of this writ petition will not operate as a bar against the State to proceed against the guilty persons in accordance with law.

JUDGE

CHIEF JUSTICE

Comparing Assistant