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

Case No. : WP(C)/3402/2025

PRANJAL BHAJANI
SON OF SRI HEM KANTA B HAJANIN,
R/O JORHOTIA GAON, P.O. KADAM, P.O. AND P.S. BODINODI, DIST.
LAKHIMPUR, PIN-787032

VERSUS

THE STATE OF ASSAM AND 2 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, FINANCE DEPARTMENT, DISPUR, GUWAHATI-781006.

2:THE SECRETARY

TO THE GOVT. OF ASSAM

FINANCE (ESTABLISHMENT -B) DEPARTMENT
DISPUR
GUWAHATI-781006.

3:THE DIRECTOR OF AUDIT (LOCAL FUND)

ASSAM
DISPUR
GUWAHATI-781006

Advocate for the Petitioner : MR H K DAS, MS D MAHANTA,MR N K SARMA

Advocate for the Respondent : SC, FINANCE,

BEFORE

HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 23-06-2025

Heard Mr. H.K. Das, learned counsel for the writ petitioner.

Perused the averments made in the writ petition.

Being aggrieved by the order of penalty dated 12-09-2024 by means of which penalty of "withholding of increment with cumulative effect with warning" have been imposed upon the petitioner as well as the subsequent order dated 05-04-2025 dismissing the appeal preferred by him, the instant writ petition has been filed, *inter-alia*, contending that the departmental proceeding is vitiated due to procedural illegalities and on account of violation of the principles of natural justice.

Mr. Das, learned counsel for the writ petitioner has also prayed for an interim order, suspending the operation of the impugned order, by urging that the order of penalty has not yet been given effect to.

Mr. P. Nayak, learned Addl. AG, Assam appearing for the respondent Nos. 1 to 3 has, prayed for some time to seek instruction in the matter.

Issue notice of motion returnable on 30-07-2025.

Since Mr. Nayak has accepted notice on behalf of all the respondents, no formal notice is required to be sent in this case.

Extra copies of the writ petition, requisite in numbers, be furnished to the learned departmental counsel, so as to enable him to obtain instruction.

Heard on the prayer of interim relief.

The said prayer will be considered on the returnable date.

Respondents to file their affidavit, on or before the returnable date.

It is made clear that any action taken in the matter, during the pendency of this writ petition, shall be subject to further order(s) that may be passed in this case.

JUDGE

Comparing Assistant