

GAHC010132872018



2026:GAU-AS:7553

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

Case No. : WP(C)/4080/2018

ABDUL MOIN SADIQUE ZAMAN
S/O- ABDUL KHALEQUE, R/O- PASCHIM MUKUNDAATI, P.O AND P.S-
JONIA, DIST- NAGAON, ASSAM, PIN- 782124

VERSUS

THE STATE OF ASSAM AND 6 ORS
REP. BY THE ADDL. CHIEF SECRETARY TO THE GOVT OF ASSAM, HEALTH
AND FAMILY WELFARE DEPTT, ASSAM SACHIVALAYA, DISPUR,
GUWAHATI- 781006

2:THE COMMISSIONER AND SECRETARY
GOVT OF ASSAM
HEALTH AND FAMILY WELFARE DEPTT
ASSAM SACHIBALAYA
DISPUR
GUWAHATI- 781006

3:THE DEPUTY SECRETARY
GOVT OF ASSAM
HEALTH AND FAMILY WELFARE DEPTT
ASSAM SACHIBALAYA
DISPUR
GUWAHATI- 781006

4:THE DIRECTOR OF MEDICAL EDUCATION
SIX MILE
KHANAPARA
GUWAHATI- 781022

5:THE DIRECTOR OF HEALTH SERVICES
HENGRABARI HEALTH COMPLEX

HENGRABARI ROAD
LICHUBAGAN
GUWAHATI- 781036

6:THE JOINT DIRECTOR OF HEALTH SERVICES
HAILAKANDI
PIN- 788155
HAILAKANDI TOWN
HAILAKANDI DISTRICT
ASSAM

7:THE SUPERINTENDENT
S K ROY CIVIL HOSPITAL
HAILAKANDI
DIST- HAILAKANDI
PIN- 78815

Advocate for the Petitioner : MR D DAS, MR. A H ALAMGIR

Advocate for the Respondent : SC, HEALTH,

BEFORE
HONOURABLE MR. JUSTICE RAJESH MAZUMDAR

ORDER

01.06.2026

Heard Mr. A.H. Alamgir, learned counsel for the petitioner. Also heard Ms. D. Borah, learned Standing Counsel for the Health Department.

2. The instructions issued on 01.06.2026 by the Joint Secretary to the Government of Assam, Health & Family Welfare Department, and placed before this Court through the learned Additional Advocate General, Assam, state that the representation submitted by the petitioner is under active consideration and that a final decision thereon shall be taken upon completion of the necessary

examination of records and verification of all relevant facts. It has further been stated that an examination is also required to be conducted with regard to any outstanding Government dues or liabilities in any related matter, subject to fulfillment of the bond conditions. The instructions further request that 4 (four) weeks' time be granted to enable the Department to complete the aforesaid examination.

3. The learned counsel for the petitioner has submitted that there is a lack of clarity as to the authority competent to accept the petitioner's resignation, as well as the authority before whom the petitioner is required to deposit the bond amount so that the process of resignation may be initiated and completed.

4. The learned Standing Counsel has submitted that the present writ petition may be disposed of by directing the Commissioner and Secretary to the Government of Assam, Health & Family Welfare Department, to take a final decision on the representation submitted by the petitioner and thereafter communicate the same to the petitioner so as to enable him to take further necessary steps in accordance with law.

5. Accordingly, upon a consensus arrived at by the learned counsel appearing for the contesting parties, this writ petition is disposed of with a direction to the respondent No. 2, namely, the Commissioner and Secretary to the Government of Assam, Health & Family Welfare Department, to take appropriate steps for

the expeditious disposal of the representations submitted by the petitioner, more particularly the representation dated 22.04.2018, and to pass a reasoned decision thereon within an outer limit of 6 (six) weeks from the date of receipt of a certified copy of this order. The decision so taken shall be communicated to the petitioner forthwith.

6. The respondent No. 2 shall also inform the petitioner of the manner and mode in which, in the event of acceptance of his resignation, the bond amount is required to be paid, and shall further clarify the authority to whom such payment is to be made or remitted.

7. Needless to say, in the event the petitioner is aggrieved by any order passed by the respondent No. 2 on his representation, he shall be at liberty to approach the appropriate forum for redressal of his grievance in accordance with law.

8. This writ petition is accordingly disposed of. No order as to costs.

JUDGE

Comparing Assistant