

GAHC010138602025



undefined

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

Case No. : WP(C)/3582/2025

JAWAHIR MD. EKBAL
SON OF FOYZUR RAHMAN LASKAR, R/O.- HOUSE NO. 445 K, AULIA TILLA
LANE, UTTAR KRISHNAPUR PART II, P.O. UTTAR KRISHNAPUR, DIST.
CACHAR, ASSAM

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY ITS COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, SKILL, EMPLOYMENT AND
ENTREPRENEURSHIP DEPARTMENT, DISPUR, GUWAHATI-06.

2:THE MISSION DIRECTOR

ASSAM SKILL DEVELOPMENT MISSION
5TH FLOOR
DPS ROAD
KATABARI
GORCHUK
GUWAHATI-35.

3:THE CHIEF EXECUTIVE OFFICER
ASSAM SKILL UNIVERSITY PROJECT
3RD FLOOR
DECT OFFICE COMPLEX
REHABARI
GUWAHATI-08

Advocate for the Petitioner : MR. S K TALUKDAR, K A SODIAL,MR. J M A CHOUDHURY

Advocate for the Respondent : GA, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 25.06.2025

Heard Mr. S.K. Talukdar, learned counsel for the petitioner.

Perused the statements made in the writ petition.

Assailing the order of termination from service dated 02.06.2025, the petitioner has approached this Court, *inter-alia* contending that the impugned order has been issued on completely non-existent facts, based on an enquiry conducted behind the back of the writ petitioner and without giving the petitioner a reasonable opportunity to defend his interest. As such, submits Mr. Talukdar, the impugned order is vitiated purely on account of violation of the cardinal principles of natural justice and administrative fair play.

By referring to the advertisement notice dated 05.06.2025, inviting applications for appointment of a new Finance Manager, in place of the writ petitioner, Mr. S.K. Talukdar, learned counsel has prayed for an interim order of protection for his client.

Mr. D. Bora, learned Govt. Advocate, Assam has also opposed the interim order by stating that pursuant to submission of applications, 3rd party rights have already been created and therefore, no interim order be passed in this case at this stage.

He, however, prays for 4(four) weeks time to obtain instruction.

Issue notice of motion, returnable in 4 (four) weeks.

Since Mr. D. Bora, learned Govt. Advocate, Assam has appeared and accepted notice on behalf of respondents No. 1 to 3, no formal notice is required to be issued 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.

However, having regard to the overall facts and circumstance of the case, as an ad-interim measure, it is hereby provided that the respondents may process the advertisement notice dated 05.06.2025, if so advised, but no final order appointing any candidate to the post of Finance Manager for Assam Skill University Project shall be issued without the leave of the Court.

JUDGE

Comparing Assistant