

GAHC010160622022



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

Case No. : WP(C)/5343/2022

GAJENDRA PATHAK
S/O LATE NARAYAN CH. PATHAK,
R/O HOUSE NO. 9, BYE LANE 1, ANANDA NAGAR,
P.O.- DISPUR,
P.S.- BHANGAGARH,
GUWAHATI- 781,
DIST.- KAMRUP (M), ASSAM.

VERSUS

THE STATE OF ASSAM AND 3 ORS
REP. BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM,
REVENUE AND DISASTER MANAGEMENT DEPTT., DISPUR, GUWAHATI- 6.

2:THE DISCIPLINARY AUTHORITY
REP. BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPTT.
DISPUR
GUWAHATI.

3:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPTT.
DISPUR
GUWAHATI- 6.

4:THE JOINT SECRETARY TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPTT.
DISPUR
GUWAHATI- 6

Advocate for the Petitioner : MR. U J SAIKIA

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO**

ORDER

Date : 22-08-2022

Heard Mr. UJ Saikia, learned counsel for the petitioner, who submits that this is the 2nd time the petitioner is before this Court. The earlier writ petition, i.e., WP(C) No. 5374/2014 was disposed of vide order, dated 12.05.2016 with a direction to the respondent authority to pass a fresh order in terms of the representations and the stand taken by the petitioner after setting aside the impugned order of dismissal dated 24.09.2014. Subsequent thereto, the respondent authority concerned has passed the order dated 02.03.2019 removing the petitioner from service. Aggrieved the petitioner is again before this Court.

The learned counsel for the petitioner submits that due to illness suffered by the petitioner he could not approach this Court at an earlier point of time and that the petitioner has annexed a medical certificate indicating his health condition.

In view of above, issue notice of motion, returnable by 4 (four) weeks.

Mr. J Handique, learned counsel for the Revenue Department appears and accepts notice on behalf of all the respondents.

Requisite extra copies of the writ petition be furnished to him within 2 (two) days.

List the matter again ***after 4 (four) weeks.***

Respondents to file their counter-affidavit in the meantime.

JUDGE

Comparing Assistant