

GAHC010160622022



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

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

ON THE DEATH OF GAJENDRA PATHAK HIS LEGAL HEIRS SMTI PRIYAM
PATHAK
W/O LATE GAJENDRA PATHAK,
R/O HOUSE NO. 9, BYE LANE 1, ANANDA NAGAR,
P.O.- DISPUR,
P.S.- BHANGAGARH,
GUWAHATI- 781006,
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(s): Ms. J Das

Advocate for the respondent(s): Mr. J Handique, Govt. Advocate, Assam

B E F O R E
HON'BLE MR. JUSTICE DEVASHIS BARUAH

ORDER

02.02.2026

The instant writ petition has been filed challenging the Notification dated 02.03.2019, whereby the petitioner was dismissed from service.

2. The records do not reveal that the respondents have filed any affidavit, though the writ petition is of the year 2022.
3. Mr. J Handique, the learned Government Advocate, Assam, however, submits that the records of the disciplinary proceedings are available with him. Mr. Handique, further submits that the Department would be filing the affidavit within 2(two) weeks.
4. List this matter again on 07.05.2026.
5. The affidavit be filed on or before 27.04.2026. Liberty is given to the petitioner to file the reply on or before 06.05.2026.
6. On the next date fixed i.e. 07.05.2026, the instant writ petition would be taken up for final disposal.
7. The respondents shall ensure that the records of the disciplinary

proceedings are made available on the next date fixed.

8. Liberty is given to the petitioner to mention the matter for upgradation.

JUDGE

Comparing Assistant