

GAHC010178452024



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

**Case No. : WP(C)/4408/2024**

NO. 15474209A SEP BHUPEN RAJBONGSHI  
S/O LATE GARGO RAJBONGSHI, VILLAGE AND PO MAKHI BAHA, PS TIHU,  
DIST NAGAON, ASSAM

VERSUS

THE UNION OF INDIA AND 3 ORS  
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF INDIA  
MINISTRY OF HOME AFFAIRS, NEW DELHI 01

2:THE OFFICER IN CHARGE  
DEFENCE SECURITY CORPS RECORDS  
MILL ROAD  
BURNECHERRY POST  
KANNUR  
KERALA 670013

3:THE COL. COMMANDING OFFICER

100 DSC  
PI ATTO TO DET 21 MTN DOU (AP NNB) 901808  
C/P 99 APO

4:THE COMMANDING OFFICER  
21 MOUNTAIN DIVISION ORDINANCE UNIT  
AZARA  
VIP KAMRUP R ASSA

**Advocate for the Petitioner** : MR. R MAZUMDAR, MR Z RAHMAN,MR. A M KHAN,MR S  
PRODHANI

**Advocate for the Respondent** : D.Y.S.G.I.,

**BEFORE  
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

**ORDER**

**31.08.2024**

Heard Shri R. Mazumdar, learned counsel for the petitioner.

2. It is the case of the petitioner that he was enrolled as a Sepoy GD in the Defence Security Corps (DSC) on 27.06.2018. It is submitted that the petitioner has an experience of serving the Indian Army for around 20 years. The grievance of the petitioner is with regard to a proceeding initiated on 09.03.2024 for terming to be under Low Medical Category. Based on the same, the respondent no. 2 has granted approval for discharge of the petitioner from today i.e. 31.08.2024. It is submitted that the order of discharge is in violation of the guidelines laid down by the Hon'ble Supreme Court.

3. Let notice be issued.

4. Since urgency have been expressed, let the returnable date be on 09.09.2024.

5. Ms. B. Sarma, learned CGC accepts notice on behalf of all the respondents. Extra copies of the writ petition be served upon her within two working days.

6. Shri Mazumdar, learned counsel for the petitioner prays for an interim order.

7. It is provided that any action of discharge would however be dependent on the orders to be passed on the returnable date i.e. 09.09.2024 based upon the instructions.

8. List this case 09.09.2024.

**JUDGE**

**Comparing Assistant**