

GAHC010191472026



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

Case No. : WP(C)/4996/2026

SRI SANKARJYOTI KAKOTY
SON OF DR BIPINDRA NATH KAKOTY, SENIOR MANAGER, ASSAM GAS
COMPANY LIMITED, PERMANENT RESIDENT OF FLAT NO 2B, GANAPATI
ENCLAVE, HENGRABARI, SEWALI PATH GUWAHATI 781006. PRESENTLY
RESIDING AT ASSAM GAS COMPANY LIMITED, QUARTER NO B PLUS 03,
DULIAJAN, ASSAM.

VERSUS

ASSAM GAS COMPANY LIMITED AND 3 ORS
A GOVT. OF ASSAM UNDERTAKING, HAVING ITS REGISTERED OFFICE AT
P.O.-DULIAJAN, DISTRICT DIBRUGARH, ASSAM, PIN-786602

2:THE MANAGING DIRECTOR
ASSAM GAS COMPANY LIMITED
A GOVT. OF ASSAM UNDERTAKING
HAVING ITS REGISTERED OFFICE AT P.O.- DULIAJAN
DISTRICT-DIBRUGARH
ASSAM
PIN-786602

3:MR SAMARJIT DURGA NEOG
PRESENTING OFFICER
INQUIRY AUTHORITY
GM RETAIL BUSINESS
ASSAM GAS COMPANY LIMITED
A GOVT. OF ASSAM UNDERTAKING
HAVING ITS REGISTERED OFFICE AT P.O.-DULIAJAN
DISTRICT DIBRUGARH
ASSAM
PIN 7866024.

4:MR UTPOL DOIMARI
MEMBER

INQUIRY AUTHORITY
CHIEF MANAGER (PIPELINE
CGD REGULATORY AFFAIRS)
ASSAM GAS COMPANY LIMITED
A GOVT
OF ASSAM UNDERTAKING
HAVING ITS REGISTERED OFFICE AT P.O.- DULIAJAN
DISTRICT-DIBRUGARH
ASSAM
PIN-786602

Advocate for the Petitioner : MR. R SEKHAR, MR. B D CHOWDHURY, MS. A SHARMA

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO

ORDER

Date : 14-09-2026

Heard Mr. BD Chowdhury, learned counsel for the petitioner, who submits that the petitioner is aggrieved with the order, dated 11.08.2026 (Annexure-1) by which the Managing Director, Assam Gas Corporation Limited has constituted a 2 (two) Member Inquiry Authority to enquire into the findings and observations placed by the Internal Complaints Committee (ICC), AGCL and to frame relevant charges as per the relevant Rules of the AGC Executives' Conduct, Discipline and Appeal Rules, 1985 ("Rules of 1985") against the petitioner except the charge of sexual harassment and to conduct the inquiry.

The learned counsel submits that the findings and observations made by the ICC is already challenged by the petitioner in a separate writ proceeding, but in so far as the constitution of the 2 (two) Member Inquiry Authority, the same is being challenged in the instant writ petition as not being sustainable, in view of the provisions of Rule 25.3.1 of the Rules of 1985. Referring to the said

provision, the learned counsel submits that the respondent authorities are required to communicate to the petitioner in writing the articles of charge, list of witnesses, etc and afford an opportunity to him to submit his written statement of events by granting him atleast 15 (fifteen) days time.

Since the said procedure has not been adopted and there being gross violation of the principles of natural justice, the constitution of the inquiry authority, vide the impugned, communication, dated 11.08.2026 cannot be sustained and therefore should be set aside.

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

Petitioner to take steps for service of notice upon the respondents by speed post within a period of 3 (three) working days.

Having regard to the projection made by the petitioner, it is provided herein that the impugned, communication, dated 11.08.2026 (Annexure-1) constituting the inquiry authority shall remain stayed till the next returnable date.

List the matter again on 07.10.2026.

JUDGE

Comparing Assistant