

GAHC010201322024



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

Case No. : WP(C)/5054/2024

DR SAILENDRA KUMAR DEURI
R/O- KALIBARI, TEZPUR, ASSAM, 784001 PRESENTLY SERVING AS
DIRECTOR PROFESSOR OF LOKOPRIYA GOPINATH BORDOLOI REGIONAL
INSTITUTE OF MENTAL HEALTH, TEZPUR, ASSAM, PIN- 784001

VERSUS

THE UNION OF INDIA AND 4 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA,
MINISTRY OF HEALTH AND FAMILY WELFARE, NIRMAN BHAVAN, NEW
DELHI- 110011

2:THE CHAIRMAN EXECUTIVE COUNCIL
LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH
REPRESENTED BY THE SECRETARY
HEALTH AND FAMILY WELFARE
GOVERNMENT OF INDIA
NIRMAN BHAVAN
NEW DELHI- 110011

3:THE UNDER SECRETARY TO MOH AND FW
GOVT. OF INDIA
NIRMAAN BHAWAN
NEW DELHI- 110011

4:THE LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF
MENTAL HEALTH
TEZPUR
DISTRICT- SONITPUR
ASSAM
PIN- 784001

REPRESENTED BY ITS DEPUTY DIRECTOR

5:DR. JYOTI HAZARIKA
PROF AND HOD DEPARTMENT OF MICROBIOLOGY AND MEDICAL
SUPERINTENDENT
THE LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF
MENTAL HEALTH
TEZPUR
DISTRICT- SONITPUR
ASSAM
PIN- 78400

Advocate for the Petitioner : MR. K N CHOUDHURY, MISS. R R KAKATI

Advocate for the Respondent : GA, ASSAM, MR. K GOGOI (CGC),DY.S.G.I.,SC, L G B R I M H

Linked Case : WP(C)/3769/2024

SAILENDRA KUMAR DEURI
R/O- KALIBARI
TEZPUR
ASSAM
PIN- 784001
PRESENTLY SERVING AS DIRECTOR OF LOKOPRIYA GOPINATH BORDOLOI
REGIONAL INSTITUTE OF MENTAL HEALTH
TEZPUR
ASSAM
PIN- 784001.

VERSUS

THE UNION OF INDIA AND 6 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
NIRMAN BHAVAN
NEW DELHI-110011.

2:THE CHAIRMAN EXECUTIVE COUNCIL
LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH
REPRESENTED BY THE SECRETARY
HEALTH AND FAMILY WELFARE

GOVERNMENT OF INDIA
NIRMAN BHAVAN
NEW DELHI-110011.

3:LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH

TEZPUR
DIST. SONITPUR
ASSAM
PIN- 784001.

4:THE GOVERNMENT OF ASSAM
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM
ASSAM SECRETARIAT
DISPUR
GUWAHATI-781006.

5:THE SECRETARY
DEPARTMENT OF DONER

VIGYAN BHAWAN
ANNEXE MAULANA AZAD ROAD
NEW DELHI-110011.

6:THE UNDER SECRETARY TO MOHFW

GOVT OF INDIA
NIRMAN BHAWAN
NEW DELHI-110011.

7:THE DEPUTY DIRECTOR

LGBRIMH
TEZPUR
ASSAM
PIN- 784001.

8:DR DHRUBA JYOTI CHETIA
S/O- SRI CHTRADHAR CHETIA R/O-QTR NO. TYPE VI/A1 LOKOPRIYA
GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL HEALTH
KALIBARI TEZPUR P.O. AND P.S.- TEZPUR DIST. - SONITPUR ASSAM PIN-
784001.

Advocate for : MR. K N CHOUDHURY
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 6 ORS

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

06.01.2025

Mr. K. N. Choudhury, learned senior counsel appearing for the writ petitioner in both these petitions has submitted that this matter was extensively heard by a coordinate Bench (Hon'ble Mr. Justice Kaushik Goswami) and the judgment was also reserved. Therefore, these matters have been wrongly listed for orders before this Court.

Mr. K. Gogoi, learned counsel for the respondents has also supported the said submission and contends that hearing in these cases has already been concluded on behalf of both the sides.

After scrutiny of the records, I find that on 03.10.2024 an order was passed by this Court in WP(C) Nno.3769/2024 indicating that the matter ought to be listed for further hearing. If that be so, it is clear that this is a part-heard matter before another Bench. Under such circumstances, it is not clear as to how this case could be listed before this Bench today.

Registry to therefore, verify, in the light of the observations made herein above and do the needful to list the cases before the appropriate Bench.

JUDGE

Comparing Assistant