

GAHC010205732024



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

Case No. : WP(C)/5143/2024

MD. LUTFUR RAHMAN
S/O- LATE J. AHMED, R/O- RAIDONGIA NA-KACHARI GAON, P.O.
TIOKGHAT, P.S. SONARI, DIST. CHARAIDEO, ASSAM, PIN- 785690.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF
ASSAM, REVENUE AND DISASTER MANAGEMENT DEPARTMENT, DISPUR,
GUWAHATI.

2:THE DISTRICT COMMISSIONER
CHARAIDEO
SONARI.

3:THE ADDITIONAL DISTRICT COMMISSIONER
CHARAIDEO
SONARI.

4:THE SUB-DIVISIONAL OFFICER (SADAR)

CHARAIDEO
SONARI.

5:SMTI. SULEMA KHATUN
W/O- LATE SOFIQUDDING AHMED
R/O- WARD NO. 9
SONARI TOWN
P.O. AND P.S SONARI
DIST. CHARAIDEO
ASSAM
PIN- 785690

Advocate for the Petitioner : MR. B J GHOSH, RUBI GOGOI

Advocate for the Respondent : GA, ASSAM, SC, REVENUE

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 03-10-2024

Heard Mr. D. Das, learned Sr. counsel assisted by Ms. R. Gogoi, learned counsel for the writ petitioner.

Assailing the order of suspension dated 12-09-2024, this writ petition has been filed *inter-alia* contending that in view of the observation made by the learned Single Judge in the order dated 01-03-2024 passed in W.P.(C) No. 756/2024, the respondent authorities could not have placed the petitioner under suspension.

Perused the averments made in the writ petition.

Mr. J. Handique, learned standing counsel, Revenue Department, Assam and Mr. D. Bora, learned Govt. Advocate, Assam has prayed for some time to obtain instruction in the matter.

Issue notice of motion returnable on 04-11-2024.

Since Mr. Handique has accepted notice on behalf of respondent No. 1 and Mr. D. Bora has accepted notice on behalf of respondent Nos. 2 to 4, no formal notice is required to be sent to the said respondents.

Extra copies of the writ petition, requisite in numbers, be furnished to the learned

departmental counsel so as to enable them to obtain instruction.

Petitioner to take steps for service of notice upon respondent No. 5 by registered post with A/D, within 03 days from today.

Heard on the prayer of interim relief.

The said prayer will be considered on the returnable date.

On the next date fixed, the learned departmental counsel to also produce the relevant records.

List again on 04-11-2024.

JUDGE

GS

Comparing Assistant