

GAHC010207382025



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

Case No. : WP(C)/5371/2025

DR NITUMONI PATHAK
W/O- SHRI RANJAN PATIR,R/O-VILL-JYOTINAGAR,WARD NO-4,P.O-
SILAPATHAR,DIST-DHEMAJI,ASSAM-787059

VERSUS

THE STATE OF ASSAM
REP. BY THE SECRETARY TO THE GOVT. OF ASSAM,HIGHER
EDUCATION,ASSAM, JANTA BHAWAN,DISPUR,GUWAHTI-781006

2:DIRECTOR
HIGHER EDUCATION
ASSAM CUM ENQUIRY OFFICER
KAHILIPARA
GUWAHATI-781019

3:JOINT DIRECTOR
HIGHER EDUCATION
ASSAM
KHAILIPARA
GUWAHATI-781019 RESPONDENT

4:UNIVERSITY GRANTS COMMISSION (UGC)
BAHADURSHAH ZAFAR MARG
NEW DELHI-110002 PROFORMA RESPONDENT.

Advocate for the Petitioner : H P NEOG, I J SINGPHO,MR. B K DAS

Advocate for the Respondent : SC, HIGHER EDU, SC, U G C

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

15.09.2025

Heard Mr. I. Choudhury, learned Senior Counsel, assisted by Mr. B. K. Das, learned counsel for the petitioner and Mr. Tahbildar, learned Standing Counsel for the respondent Nos. 1, 2 & 3. Also heard Ms. S. Deka, learned counsel appearing on behalf of Mr. A. Chamuah, learned Standing Counsel for the respondent No. 4.

2. The petitioner herein, who is a Lecturer in the department of Economics at Purbanchal College, Silapathar; is aggrieved for issuance of three show-cause notices, consecutively, by the respondent No. 2; for pursuing her Ph.D. degree from Monad University, Hapur; which, according to Mr. Choudhury, learned Senior Counsel for the petitioner, is a UGC recognized University.

3. Mr. Choudhury also submits that the petitioner had pursued her Ph.D. degree, after obtaining permission from the respondent authorities and she registered her name for the program on 09.03.2011, and completed the aforementioned program on 01.04.2013, within the period of 2 years; as prescribed by the University regulations, as per the Notification of the UGC, dated, 05.07.2014; although, at the time of registration from the program, there was no specified time limit.

3.1. Mr. Choudhury further submits that the respondent authorities have issued show-cause notices, consecutively, only to harass the petitioner and the last show-cause notice was issued on 23.05.2024 with a statement of charges against the present petitioner.

3.2. Under such circumstances, Mr. Choudhury submits that as has been stayed by this Court in similarly situated cases, the show-cause notices issued to the present petitioner may also be stayed and this writ petition may be tagged along with similarly situated writ petitions, being WP(C) Nos. 5070/2024, 5013/2024 and 5076/2024, for further consideration.

- 4.** However, Mr. Tahbildar, learned Standing Counsel for the respondent Nos. 1, 2 & 3 submits that at this stage, only notice may be issued.
- 5.** Having heard the submissions advanced by the learned counsels for both the parties, I have carefully gone through the petitions and the documents placed on record.
- 6.** Let notice be issued to the respondents, returnable by 2 (two) weeks.
- 7.** However, no formal notice is required to be issued, since all the respondents are being duly represented by the learned Standing Counsels. But, extra requisite copies of the petition be furnished to them during the course of the day.
- 8.** Till the returnable date, the 2nd and 3rd show-cause notices, dated 03.12.2022 and 23.05.2024, stands stayed till the returnable date.

JUDGE

Comparing Assistant