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

Case No. : WP(C)/5399/2025

DR BIJOY DEB
S/O-BISHWANATH DEB,R/O- VILL-KALAYANPUR,P.O-SILAPATHAR,DIST-
DHEMAJI, ASSAM-787059

VERSUS

THE STATE OF ASSAM AND 3 ORS.
REPRESENTED 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
GUWAHATIPIN- 781019

3:JOINT DIRECTOR
HIGHER EDUCATION
ASSAM
KHAILIPARA
GUWAHATI-781019

4:UNIVERSITY GRANTS COMMISSION (UGC)
BAHADURSHAH ZAFAR MARG
NEW DELHI-11000

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

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

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

17.09.2025

Heard Mr. I. Choudhury, learned Senior Counsel, assisted by Mr. B. K. Das, learned counsel for the petitioner and Mr. H. Das, learned Standing Counsel for the respondents in Higher Education Department. Also heard Mr. A. Chamuah, learned Standing Counsel for the respondents in U.G.C.

2. The petitioner herein, is an Assistant Professor in the Purbanchal College, Silapathar and he is aggrieved for issuance of three show-cause notices, consecutively, by the respondent No. 2; for pursuing his 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 his Ph.D. degree, after obtaining permission from the respondent authorities and he registered his 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 after six years of provincialisation of his service, the respondent authorities have issued show-cause notices consecutively, only to harass the petitioner and the last show-cause notice was issued on 15.06.2024, with a statement of charges against the present petitioner.

3.2. Under such circumstances, Mr. Choudhury submits that as being 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. Das, learned Standing Counsel for the respondents in Higher Education Department 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. Steps upon the respondent No. 5 be taken by a registered post with A/D and also by usual process, within a week from today.

8. However, no formal notice is required to be issued to the respondent Nos. 1, 2, 3 & 4, since they 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.

9. The 2nd show-cause notice, dated 03.02.2023 and the 3rd show-cause notice, dated 15.06.2024, stands stayed till the returnable date.

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JUDGE

Comparing Assistant