

GAHC010226122024



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

Case No. : WP(C)/5552/2024

RITURAJ DOLEY

S/O- RANJIT KUMAR DOLEY, R/O- HOUSE NO. 9, CHACHAL, SIXMILE, P.S.
DISPUR, DIST. KAMRUP(M), ASSAM, PIN- 781022.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY GOVERNMENT
OF ASSAM, HOME AND POLITICAL DEPARTMENT, DISPUR, GUWAHATI-
781006.

2:THE SECRETARY TO THE GOVT. OF ASSAM
HOME (A) DEPARTMENT
DISPUR
GUWAHATI-781006.

3:THE JOINT SECRETARY TO THE GOVT. OF ASSAM
HOME AND POLITICAL DEPARTMENT
DISPUR
GUWAHATI-781006.

4:THE DIRECTOR GENERAL OF POLICE
ULUBARI
GUWAHATI-781007.

5:THE INSPECTOR GENERAL OF POLICE (T AND AP)

ASSAM-CUM-INQUIRY OFFICER
ASSAM
GHY-781007

Advocate for the Petitioner : MR. A K BARUAH, MR. N MAHAJAN,MR. R A PRAMANIK,MR.

H NATH

Advocate for the Respondent : GA, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 30-10-2024

Heard Mr. A.K. Baruah, learned counsel for the writ petitioner.

Perused the averments made in the writ petition.

The primary grievance of the writ petitioner is that the disciplinary authorities are going ahead with the departmental proceeding initiated against the petitioner by ignoring the fact that the proceeding is grounded on the same set of facts and the same witnesses, as that are involved in the connected criminal proceeding, trial in respect of which, has already begun.

Ms. M. Bhattacharjee, learned Addl. Sr. Govt. Advocate, Assam submits that similar matters involving the same question of law, is fixed before this Court on 14-11-2024. Therefore, she be granted 02 weeks time to obtain instruction.

In view of the above, issue notice of motion returnable on 14-11-2024.

Since Ms. Bhattacharjee has accepted notice on behalf of all the respondents, service of notice is deemed to be complete in this case.

Extra copies of the writ petition, requisite in numbers, be furnished to the learned departmental counsel so as to enable her to obtain instruction.

Heard on the prayer of interim relief.

Mr. Baruah submits that the next date of departmental proceeding is fixed on 04-11-2024. Having regard to the facts and circumstances of the case, it is hereby provided that further proceeding in the departmental proceeding involving the writ petitioner shall remain suspended till the next date fixed.

List this writ petition along with W.P.(C) No. 5384/2024 on 14-11-2024.

JUDGE

GS

Comparing Assistant