

GAHC010228542024



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

Case No. : WP(C)/5768/2024

DR. HITESH MAZUMDAR
S/O SHRI BHAGABAN CH. DAS, R/O NO. 2 MATHGHARIA, MOTHER
TERESA ROAD, NOONMATI, GUWAHATI-781020

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY, GOVERNMENT OF
ASSAM, PERSONNEL DEPARTMENT, DISPUR, GUWAHATI-6

2:THE SECRETARY TO THE GOVERNMENT OF ASSAM
PERSONNEL DEPARTMENT
DISPUR
GUWAHATI-6

3:THE DEPUTY SECRETARY TO GOVERNMENT OF ASSAM
PERSONNEL DEPARTMENT
DISPUR
GUWAHATI-

Advocate for the Petitioner : MR. K N CHOUDHURY, N GAUTAM,MR. J PATOWARY

Advocate for the Respondent : GA, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

11.11.2024

Heard Mr. J. Patowary, learned counsel for the petitioner. Perused the

averments made in the writ petition.

The issue involved in this writ petition pertains to the question as to whether the departmental proceeding and criminal proceeding based on same set of facts and supported by the same set of witnesses can proceed simultaneously.

Mr. D. Borah, learned Government Advocate, Assam appearing for the respondents submits that similar matters are fixed before this Court on 14.11.2024 and accordingly, this matter can also be taken up with those writ petitions on 14.11.2024.

In view of the above, issue notice of motion returnable on 14.11.2024.

Since the respondents are already represented by the learned Govt. Advocate, no formal notice is required to be sent in this case. However, extra copies of the writ petition, requisite in numbers, be furnished to the learned Govt. Advocate, Assam so as to enable him to obtain instruction.

Having regard to the facts and circumstances of the case and the interim orders passed in other similar cases, it is hereby provided that the departmental proceeding initiated against the writ petitioner shall remain suspended until further orders.

List this case again on 14.11.2024 along with WP(C) No.5384/2024 and other connected matters.

JUDGE

Comparing Assistant