

GAHC010230212025



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

**Case No. : WP(C)/6064/2025**

BHASKARJYOTI KALITA  
SON OF LATE BINOD CH KALITA, R/O MALIKUCHI, DIGHALI, WARD NO  
17, BYE LANE NO. 2, PO BOR DIGHALI, DISTRICT- NALBARI, ASSAM, PIN  
781334

VERSUS

THE STATE OF ASSAM AND 3 ORS.  
THROUGH THE COMMISSIONER AND SECRETARY TO THE GOVT OF  
ASSAM, HEALTH AND FAMILY WELFARE DEPARTMENT, DISPUR,  
GUWAHATI-6

2:THE DIRECTOR OF HEALTH

ASSAM  
HENGRABARI  
GUWAHATI-19

3:THE JOINT DIRECTOR OF HEALTH SERVICES

NALBARI DISTRICT  
NALBARI  
ASSAM  
PIN 781335

4:THE SUB DIVISIONAL MEDICAL AND HEALTH OFFICER  
KAMARKUCHI BLOCK PRIMARY HEALTH CENTRE  
KAMARKUCHI  
NALBARI  
ASSAM  
PIN 78134

**Advocate for the Petitioner** : MR. I H SAIKIA, MR. K KALITA,MR K KASHYAB,MR. B BORAH

**Advocate for the Respondent** : SC, HEALTH,

**BEFORE  
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

**ORDER**

**29.10.2025**

Heard Mr. I.H. Saikia, learned counsel for the petitioner. Also heard Mr. D.P. Borah, learned Standing Counsel, Health Department.

This writ petition has been filed by the petitioner whose prayer for transfer and posting at a place where his spouse is posted namely Nalbari District has not been acceded inspite of suitable posts available under the Health Department in around the district of Nalbari.

The learned counsel for the petitioner has referred to and relied upon the Office Memorandum dated 21.05.1987 issued by Department of Personnel (B), Government of Assam.

It is submitted that although the policy governing the transfer and posting of the husband and wife, who are both employed under the State of Assam is already in force the same has not been followed by the department inspite of representation. The representation of the writ petitioner is rejected by order dated 19.09.2025 by the Health Department. Being aggrieved the present writ petition has been filed.

At this stage, Mr. D.P. Borah, learned Standing Counsel, Health Department is permitted to complete his instructions and appraise the Court, if

the grievances can be redressed by the Department.

Let this matter be listed on 21.11.2025.

Although, notices are not issued, extra copies be furnished within a period of one week from today.

**JUDGE**

**Comparing Assistant**