

GAHC010233202016



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

Case No. : WP(C)/3416/2016

MRS. ANJALI MAZUMDAR
W/O LT. JYOTISH CHANDRA MAZUMDAR R/O HOUSE NO. 19, SADHONI
PATH 3RD, RUKMINIGAON, G.S. ROAD, GUWAHATI, KAMRUP M, ASSAM.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
PERSONAL A DEPARTMENT, DISPUR, GUWAHATI-6, ASSAM.

2:THE CHIEF SECRETARY
ASSAM SECRETARIAT
GOVT OF ASSAM
DISPUR
GUWAHATI
ASSAM.

3:THE SECRETARY TO THE GOVT. OF ASSAM
PANCHAYAT AND RD DEPARTMENT C
DISPUR
GUWAHATI-6
ASSAM.

4:THE SECRETARY TO THE
GOVT. OF ASSAM
POWER DEPARTMENT
DISPUR
GUWAHATI-6

ASSAM.

5:ACCOUNTANT GENERAL A and E
MAIDAM GAON
BELTOLA
GUWAHATI-29
KAMRUP M
ASSAM

Advocate for the Petitioner : MR.T J MAHANTA

Advocate for the Respondent : SC, AG

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

Date : 21-07-2022

Mr. JK Goswami, learned counsel for the respondent Nos. 1 and 4 and Ms. M Barman, learned counsel for the respondent No. 5 submit that they need time to go through the brief. They also submit that the original records are with them.

Mr. M Dutta, learned counsel for the petitioner submits that the departmental proceeding that had been initiated against the petitioner could not be acted upon, inasmuch as, the previous sanction of the Governor was not taken, prior to initiating the departmental proceeding against the petitioner. The departmental proceeding had been initiated after the petitioner had retired.

Mr. JK Goswami, learned counsel shall obtain instructions as to whether the previous sanction of the Governor was taken, prior to initiating the departmental proceeding against the petitioner, as required under Rule 21 of the Assam

Services (Pension) Rules, 1969.

List the matter on ***10th August, 2022.***

JUDGE

Comparing Assistant