

GAHC010237842025



2026:GAU-AS:3809

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

Case No. : Cont.Cas(C)/566/2025

NOBIN KEMPRAI
S/O.LATE RAJKUMAR KEMPRAI R/O.DIBARAI,P.O.HAFLONG DIST.-DIMA
HASAO,ASSAM

VERSUS

RAJIB KHARIGAPSA AND ANR
THE PRINCIPAL SECRETARY (N) N.C.HILLS AUTONOMOUS COUNCIL
,HAFLONG DIST-DIMA HASAO PIN-788819

2:DEBOLAL GARLOSA
THE CHIEF EXECUTVE MEMBER N C HILLS AUTONOMOUS COUNCIL
HAFLONG DIST DIMA HASAO PIN 78881

Advocate for the Petitioner : MR. J LASKAR,

Advocate for the Respondent : MR D KALITA (R-1,2), MR J LOTHAR(R-1,2),MR. D THAOSEN(R-1,2)

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 16-03-2026

Heard Mr. J Laskar, learned counsel for the petitioner as well as Mr. D Kalita, learned counsel for the respondent Nos. 1 & 2.

[2] By this application, filed under Sections 11 & 12 of the Contempt of Court's Act read with Article 215 of the Constitution of India, the petitioner has alleged non-compliance of the order dated 17.06.2025 passed in WP(C) No. 5477/2021.

[3] By the said order dated 17.06.2025, this Court had disposed of the said writ petition with the findings that due to non supply of the Enquiry Report, the right of the petitioner was violated and as such, the order of the Appellate Authority dated 29.01.2021 was interfered with and the matter was remanded back to the Appellate Authority for fresh consideration and it was further directed that the Appellate Authority shall decide the issue in the light of the provisions of Rule 9-A of the Assam Services (Discipline and Appeal) Rules, 1964 (hereinafter referred to as the "Rules of 1964"). It was also directed that the Appellate Authority should pass a reasoned and speaking order especially addressing as to whether the petitioner was duly served with the Enquiry Report upon examination of the records of the Department. A finding was also recorded that the specific plea taken by the petitioner that Enquiry Report was not supplied to him was seen to be correct, in view of the order dated 29.01.2021 passed by the Appellate Authority. In view of the said finding, this Court directed and set aside the order dated 29.01.2021 and the Appellate Authority was directed to decide the matter afresh within a period of 30 (thirty) days from the date of receipt of a certified copy of the order dated 17.06.2025 passed in WP(C) No. 5477/2021.

[4] In view of the said order, the Chief Executive Member of the North Cachar Hills Autonomous Council, Haflong vide a letter dated 21.11.2025 written to the Principal Secretary (N), Dima Hasao Autonomous Council, Haflong intimated that the Enquiry Report should be furnished to the petitioner, Nobin Kemprai

along with two others as per Rule 9-A of the Rules of 1964. It was also intimated that after furnishing copies thereof, a fresh decision in the matter should be taken on receipt and consideration of the representation filed by the petitioner. It is seen that the Principal Secretary (N), Dima Hasao Autonomous Council, Haflong is the Disciplinary Authority and as per the said letter, the Disciplinary Authority has to take a fresh decision on the issue of termination of the petitioner taking into account the representation filed by the petitioner which will be filed after receipt of the Enquiry Report filed by the Enquiry Officer.

[5] In view of above, the instant contempt petition stands closed and disposed of.

JUDGE

Comparing Assistant