

GAHC010239162024



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

Case No. : WP(C)/6016/2024

DHRUBA JYOTI CHETIA
SON OF SHRI CHITRADHAR CHETIA,
R/O QR. NO. TYPE VI/A1 LOKOPRIYA GOPINATH BORDOLOI, REGIONAL
INSTITUTE OF MENTAL HEALTH, KALIBARI, TEZPUR, P.O. AND P.S.
TEZPUR, PIN-784001, DIST. SONITPUR, ASSAM

VERSUS

THE UNION OF INDIA AND 6 ORS.
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA,
MINISTRY OF HEALTH AND FAMILY WELFARE, NIRMAN BHAVAN, NEW
DELHI-110011.

2:THE CHAIRMAN
EXECUTIVE COUNCIL

LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH
REPRESENTED BY THE SECRETARY
HEALTH AND FAMILY WELFARE
GOVERNMENT OF INDIA
NIRMAN BHAVAN
NEW DELHI-110011.

3:THE LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF
MENTAL HEALTH

REPRESENTED BY ITS DIRECTOR
TEZPUR
DIST. SONITPUR
ASSAM
PIN-784001.

4:THE DIRECTOR LOKOPRIYA GOPINATH BORDOLOI REGIONAL
INSTITUTE OF MENTAL HEALTH

TEZPUR
SONITPUR
ASSAM
PIN-784001

6:DR. SAILENDRA KUMAR DEURI

EX- DIRECTOR
LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH
TEZPUR
SONITPUR
ASSAM
PIN-78400

Advocate for the Petitioner : MR K K MAHANTA (Sr. Advocate), MR S GAUTAM,MR. K K
PHUKAN

Advocate for the Respondent : DY.S.G.I., MR. K GOGOI (C.G.C),SC, L G B R I M H

Linked Case : WP(C)/5114/2024

DR. DHRUBA JYOTI CHETIA
S/O SRI CHITRADHAR CHETIA

PRESENTLY RESIDING AT QTR NO. TYPE VI/A1
LOKOPRIYA GOPINATH BORDOLOI ISNTITUTE OF MENTAL HEALTH
KALIBARI
TEZPUR
P.O. AND P.S.- TEZPUR
PIN- 784001
DISTRICT- SONITPUR
ASSAM.

VERSUS

THE UNION OF INDIA AND 3 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA

MINISTRY OF HEALTH AND FAMILY WELFARE
NIRMAN BHAWAN
NEW DELHI- 110011.

2:THE CHAIRMAN
EXECUTIVE COUNCIL
LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH
REPRESENTED BY THE SECRETARY

HEALTH AND FAMILY WELFARE

GOVERNMENT OF INDIA

NIRMAN BHAWAN
NEW DELHI- 110011.

3:THE LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF
MENTAL HEALTH
REPRESENTED BY ITS DIRECTOR

TEZPUR
DISTRICT- SONITPUR

ASSAM
PIN- 784001.

4:DR. SAILENDRA KUMAR DEURI
APPOINTING AUTHORITY
DIRECTOR

LOKOPRIYA GOPINATH BORDOLOI ISNTITUTE OF MENTAL HEALTH
KALIBARI
TEZPUR
P.O. AND P.S.- TEZPUR
PIN- 784001
DISTRICT- SONITPUR
ASSAM.

Advocate for : MR K K MAHANTA (Sr. Advocate)
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 3 ORS

Linked Case : WP(C)/1056/2025

KANGKAN PATHAK
S/O- LATE BISWAMBHAR PATHAK

R/O- KALIBARI TINIALI
NEAR OLD BAN STAGE
TEZPUR
SONITPUR-784001
ASSAM

VERSUS

THE UNION OF INDIA AND 6 ORS
REPRESENTED BY THE SECRETARY
MINISTRY OF HEALTH AND FAMILY WELFARE
GOVERNMENT OF INDIA
NIRMAN BHAWAN
NEW DELHI- 1110011.

2:THE SECRETARY
MINISTRY OF HEALTH AND FAMILY WELFARE
GOVERNMENT OF INDIA
NIRMAN BHAWAN
NEW DELHI-110011.

3:THE CHAIRMAN
EXECUTIVE COUNCIL
LOKPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MEDICAL
HEALTH TEZPUR
TO BE SERVED THROUGH THE SECRETARY
MINISTRY OF HEALTH AND FAMILY WELFARE
NIRMAN BHAWAN
NEW DELHI-110011.

4:THE DIRECTOR

LOKPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH
TEZPUR
DIST. SONITPUR
IN- 784001
ASSAM

5:THE OSD
DEPUTY DIRECTOR
LOKPRIYA GOPINATH BODOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH
TEZPUR
DIST. SONITPUR
PIN- 784001
ASSAM

6:JYOTI HAZARIKA
LOKPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH
QRT- E5/TYPE VI
LGBRIMH CAMPUS
TEZPUR
DIST. SONTPUR
PIN- 784001
ASSAM

7:HEMANTA DUTTA
LOKPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH
QRT- E9/TYPE VI
LGBRIMH CAMPUS TEZPUR
DIST. SONITPUR
ASSAM
PIN- 784001.

Advocate for : MR. K P PATHAK
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 6 ORS

Linked Case : WP(C)/5054/2024

DR SAIENDRA KUMAR DEURI
R/O- KALIBARI
TEZPUR
ASSAM
784001 PRESENTLY SERVING AS DIRECTOR PROFESSOR OF LOKOPRIYA
GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL HEALTH
TEZPUR
ASSAM
PIN- 784001

VERSUS

THE UNION OF INDIA AND 4 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
NIRMAN BHAVAN
NEW DELHI- 110011

2:THE CHAIRMAN EXECUTIVE COUNCIL
LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL

HEALTH
REPRESENTED BY THE SECRETARY
HEALTH AND FAMILY WELFARE
GOVERNMENT OF INDIA
NIRMAN BHAVAN
NEW DELHI- 110011

3:THE UNDER SECRETARY TO MOH AND FW
GOVT. OF INDIA
NIRMAAN BHAWAN
NEW DELHI- 110011

4:THE LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF
MENTAL HEALTH
TEZPUR
DISTRICT- SONITPUR
ASSAM
PIN- 784001
REPRESENTED BY ITS DEPUTY DIRECTOR

5:DR. JYOTI HAZARIKA
PROF AND HOD DEPARTMENT OF MICROBIOLOGY AND MEDICAL
SUPERINTENDENT
THE LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF
MENTAL HEALTH
TEZPUR
DISTRICT- SONITPUR
ASSAM
PIN- 784001

Advocate for : MR. K N CHOUDHURY
Advocate for : GA
ASSAM appearing for THE UNION OF INDIA AND 4 ORS

Linked Case : WP(C)/3769/2024

SAILENDRA KUMAR DEURI
R/O- KALIBARI
TEZPUR
ASSAM
PIN- 784001
PRESENTLY SERVING AS DIRECTOR OF LOKOPRIYA GOPINATH BORDOLOI
REGIONAL INSTITUTE OF MENTAL HEALTH
TEZPUR
ASSAM
PIN- 784001.

VERSUS

THE UNION OF INDIA AND 6 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
NIRMAN BHAVAN
NEW DELHI-110011.

2:THE CHAIRMAN EXECUTIVE COUNCIL
LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH
REPRESENTED BY THE SECRETARY
HEALTH AND FAMILY WELFARE
GOVERNMENT OF INDIA
NIRMAN BHAVAN
NEW DELHI-110011.

3:LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH

TEZPUR
DIST. SONITPUR
ASSAM
PIN- 784001.

4:THE GOVERNMENT OF ASSAM
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM
ASSAM SECRETARIAT
DISPUR
GUWAHATI-781006.

5:THE SECRETARY
DEPARTMENT OF DONER

VIGYAN BHAWAN
ANNEXE MAULANA AZAD ROAD
NEW DELHI-110011.

6:THE UNDER SECRETARY TO MOHFW

GOVT OF INDIA
NIRMAN BHAWAN
NEW DELHI-110011.

7:THE DEPUTY DIRECTOR

LGBRIMH
TEZPUR
ASSAM
PIN- 784001.

8:DR DHRUBA JYOTI CHETIA
S/O- SRI CHTRADHAR CHETIA R/O-QTR NO. TYPE VI/A1 LOKOPRIYA
GOPINATH BORDOLOI REGIONL INSTITUTE OF MENTAL HEALTH
KALIBARI TEZPUR P.O. AND P.S.- TEZPUR DIST. - SONITPUR ASSAM PIN-
784001.

Advocate for : MR. K N CHOUDHURY
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 6 ORS

Linked Case : WP(C)/5561/2024

DR. KANGKAN PATHAK
S/O- LATE BISWAMBHAR PATHAK

PRESENTLY PROFESSOR AND HEAD OF THE DEPARTMENT
PSYCHIATRY
LOKPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH
TEZPUR
DIST- SONITPUR
PIN-784001
ASSAM

VERSUS

THE UNION OF INDIA AND 3 ORS
REP. BY THE SECRETARY
MINISTRY OF HEALTH AND FAMILY WELFARE
NIRMAN BHAWAN
NEW DELHI-11

2:THE SECRETARY

MINISTRY OF HEALTH AND FAMILY WELFARE
NIRMAN BHAWAN
NEW DELHI-11

3:CHAIRMAN OF THE EXECUTIVE COUNCIL
LOKPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH

TEZPUR
DIST- SONITPUR
PIN-784001
ASSAM

TO BE SERVED THROUGH THE SECRETARY
MINISTRY OF HEALTH AND FAMILY WELFARE
NIRMAN BHAWAN
NEW DELHI-11

4:DR. JYOTI HAZARIKA MD (MICROBIOLOGY)
LOKPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH
QTR NO-E5/TYPE VI
LGBRIMH CAMPUS
TEZPUR
DIST- SONITPUR
PIN-784001
ASSAM

Advocate for : MR. R MAZUMDAR
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 3 ORS

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

27.06.2025

Mr. K.K. Mahanta, learned Senior Counsel assisted by Mr. K.K. Phukan, learned counsel appears for the petitioner in WP(C) No.6016/2024 & WP(C) No. 5114/2024.

Ms. R.R. Kakati, learned counsel appears for the petitioner in WP(C) No. 3769/2024 & WP(C) No. 5054/2024.

Mr. R. Mazumdar, learned counsel appears for the petitioner in WP(C) No. 5561/2024 & WP(C) No. 1056/2025.

Mr. A.K. Dutta, learned CGC appears for the LGBRIMH.

By earlier order dated 16.06.2025, the Co-Ordinate Bench who had heard this matter earlier has release the matter from being part heard. Considering this the matter is listed for hearing before this Court, since today is the last day before the summer vacation as agreed by the learned counsel for the parties, let this matter be listed for hearing on 31.07.2025.

Interim order wherever passed earlier will be continued till the next date fixed of listing.

Matter be listed on 31.07.2025.

JUDGE

Comparing Assistant