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

Case No. : WP(C)/402/2024

DR. DHRUBA JYOTI CHETIA
S/O SRI CHITRA DHAR CHETIA, R/O QTR. NO. TYPE VI/A1, LOKAPRIYA
GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL HEALTH,
KALIBARI, TEZPUR, DIST- SONITPUR, 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 LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF
MENTAL HEALTH
REPRESENTED BY ITS DIRECTOR
TEZPUR
DIST- SONITPUR
ASSAM

3:S.K. DEURI
DIRECTOR
LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH
TEZPUR
SONITPUR
ASSAM
PIN-784001

4:DR. H. DUTTA
ASSOCIATE PROFESSOR (ADDICTION MEDICINE)
OFFICER ON SPECIAL DUTY (OSD) -CUM- I/C DEPUTY DIRECTOR -CUM-
CHIEF FINANCE AND ACCOUNTS OFFICER ETC.

LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH
TEZPUR
SONITPUR
ASSAM
PIN-784001

5: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-11001

Advocate for the Petitioner : MR K K MAHANTA (Sr. Advocate), MS N BEGUM,MR. K K
PHUKAN

Advocate for the Respondent : DY.S.G.I., MR. A K DUTTA (r-1 to 5)

Linked Case : WP(C)/2092/2024

DHRUBA JYOTI CHETIA
SON OF SHRI CHITRADHAR CHETIA

RESIDENT OF QUARTER NO. TYPE VI/AI

LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH

KALIBARI
TEZPUR
P.O. AND P.S.- TEZPUR

PIN- 784001
DISTRICT- SONITPUR

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REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA

MINISTRY OF HEALTH AND FAMILY WELFARE

NIRMAN BHAWAN
NEW DELHI- 110011.

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EXECUTIVE COUNCIL
LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
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REPRESENTED BY THE SECRETARY

HEALTH AND FAMILY WELFARE

GOVERNMENT OF INDIA

NIRMAN BHAWAN
NEW DELHI- 110011.

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HEALTH

TEZPUR
SONITPUR
ASSAM
PIN- 784001.

Advocate for : MR K K MAHANTA (Sr. Advocate)
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 4 ORS.

Linked Case : 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-784001

Advocate for : MR K K MAHANTA (Sr. Advocate)
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 6 ORS.

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 : I.A.(Civil)/939/2025

THE CHAIRMAN EXECUTIVE COUNCIL
THE LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH
REPRESENTED BY THE SECRETARY
GOVT OF INDIA
NIRMAN BHAWAN
NEW DELHI 110011

2: THE LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF
MENTAL HEALTH
REPRESENTED BY THE DIRECTOR
TEZPUR
SONITPUR
ASSAM 784001
VERSUS

DHRUBA JYOTI CHETIA
SON OF SHRI CHITRADHAR CHETIA
RESIDENT OF QUARTER NO. TYPE VI/AI
LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH
KALIBARI
TEZPUR
P.O. AND P.S.- TEZPUR
PIN- 784001
DISTRICT- SONITPUR
ASSAM.

Advocate for : MR. A K DUTTA
Advocate for : MR K K MAHANTA (Sr. Advocate) appearing for DHRUBA JYOTI
CHETIA

Linked Case : WP(C)/1402/2024

DR. DHRUBA JYOTI CHETIA
SON OF SHRI CHITRADHAR CHETIA
RESIDENT OF QURTER NO. TYPE VI/AI
LOKOPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH
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P.O. AND P.S. TEZPUR

PIN- 784001
DISTRICT- SONITPUR
ASSAM

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

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SONITPUR ASSAM

PIN- 784001

Advocate for : MR K K MAHANTA (Sr. Advocate)

Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 4 ORS

Linked Case : I.A.(Civil)/2064/2024

THE UNION OF INDIA AND 4 ORS
REP BY THE SECRETARY MINISTRY OF HEALTH AND FAMILY WELFARE
NEW DELHI

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

DR. DHRUBA JYOTI CHETIA

S/O SRI CHITRA DHAR CHETIA
R/O QTR. NO. TYPE VI/A1
LOKAPRIYA GOPINATH BORDOLOI REGIONAL INSTITUTE OF MENTAL
HEALTH
KALIBARI
TEZPUR
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ASSAM
PIN-784001

Advocate for : MR AJIT KUMAR DUTTA
Advocate for : MR K K MAHANTA (Sr. Advocate) appearing for DR. DHRUBA
JYOTI CHETIA

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

12.02.2026

Heard Mr. K.K. Mahanta, learned Senior Counsel assisted by Ms. N. Begum, learned counsel for the petitioner. Also heard Mr. A.K. Dutta, learned CGC for the LGBRIMH; Ms. R.R. Kakati, learned counsel for the respondent No.6 in WP(C) No.5114/2024 and for the respondent No.4 in WP(C) No.6016/2024.

2. The learned counsel for the petitioner has completed his arguments with the liberty to reply.

3. Mr. A.K. Dutta, learned CGC is permitted to address the Court on the question of applicability of Rules 55(J) vis-à-vis the writ petitioner which was

invoked by the respondent authorities compulsorily retiring the petitioner.

4. Let this matter be listed again on 17.02.2026.

JUDGE

Comparing Assistant