

GAHC010239212025



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

Case No. : WP(C)/6330/2025

DR. PRANOY DEY
RESIDENT OF - HOUSE NO. 12, MAHENDRA SUBWAY, ADARSHAPUR LANE
4, KAHILIPARA, GUWAHATI, KAMRUP (M), PIN- 781019.

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF
ASSAM, DISPUR, GUWAHATI -781006.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
MEDICAL EDUCATION AND RESEARCH DEPARTMENT
DISPUR
GUWAHATI - 6.

3:THE DIRECTOR OF MEDICAL EDUCATION
ASSAM
SIXMILE
GUWAHATI - 781022.

4:THE PRINCIPAL CUM CHIEF SUPERINTENDENT
ASSAM MEDICAL COLLEGE AND HOSPITAL
DIBRUGARH
ASSAM
PIN - 786002.

5:THE INTERNAL COMMITTEE
ASSAM MEDICAL COLLEGE AND HOSPITAL
DIBRUGARH
REPRESENTED BY ITS CHAIRMAN
DR. MONDITA BORGOHAIN
C/O -THE PRINCIPAL

ASSAM MEDICAL COLLEGE
DIBRUGARH
PIN -786002

Advocate for the Petitioner : MR. J PATOWARY, MS. C CHOUDHURY

Advocate for the Respondent : GA, ASSAM, SC, HEALTH

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

10.11.2025

Heard Mr. J. Patowary, learned counsel for the petitioner. Also heard Mr. D.P. Borah, learned Standing Counsel, Health Department for the respondents.

The petitioner is aggrieved by the final reports of the Internal Complaints Committee submitted to the writ petitioners upon being inquiry conducted by the said committee in respect of allegations levelled against the writ petitioner by the complainant under the provisions of *Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013*.

The learned counsel for the petitioner submits that the entire procedure prescribed under the rules which have been completely floated by the Internal Complaints Committee and the inquiry was completed on 16.11.2022 from the date seen in the inquiry report and which was served to the petitioner only on 16.08.2025, which the petitioner claims that he had received it on 22.08.2025. It is submitted that the Internal Complaints Committee had recommended that since the allegations were found to be correct, the petitioner should not be allowed to abuse his authority by appointing him as HOD or in any senior position nor as a NMC assessor.

It is submitted by the learned counsel for the petitioner that pursuant to the submissions of the inquiry report the petitioner apprehends that further steps may be taken by the Disciplinary Authority. It is submitted that since the said report has been submitted by the authority in total violation of the rules the operation of the same may be stayed until further orders.

Mr. D.P. Borah, learned Standing Counsel, Health Department on the other hand submits that he would like complete his instructions and file necessary affidavits in the matter.

Mr. D.P. Borah, learned Standing Counsel, Health Department is permitted to complete his instructions for which sufficient copies be furnished by the learned counsel for the petitioner.

Considering the prayer made by the learned counsel for the petitioner, let notice be issued on the stay prayer returnable on 12.12.2025.

Let this matter be listed on 12.12.2025.

JUDGE

Comparing Assistant