

GAHC010076562026



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

**Case No. : I.A.(Civil)/1226/2026**

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 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

Linked Case : WP(C)/6330/2025

DR. PRANOY DEY  
RESIDENT OF - HOUSE NO. 12  
MAHENDRA SUBWAY  
ADARSHAPUR LANE 4  
KAHILIPARA  
GUWAHATI  
KAMRUP (M)  
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ASSAM MEDICAL COLLEGE  
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PIN -786002.

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Advocate for : MR. J PATOWARY  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 4 ORS.

**BEFORE**  
**HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

**ORDER**

**Date : 13.07.2026**

Heard Mr. J. Patowary, learned counsel, appearing for the applicant. Also heard Mr. D. P. Borah, learned Standing Counsel, appearing for the opposite party nos.2 to 5.

**2.** The petitioner by instituting the present interlocutory application has assailed a communication dated 13.04.2026, issued by the Presiding Officer of the Internal Complaint Committee (ICC), Assam Medical College & Hospital, Dibrugarh, Assam, requiring the petitioner to appear before the Committee on 20.04.2026 at 11.00 a.m.

**3.** The learned counsel for the applicant contends that the Internal Complaint Committee (ICC), had already enquired into the complaint

dated 17.10.2022, and had submitted its report on 16.11.2022, and a copy of which was furnished to the petitioner on 22.08.2025. The petitioner had thereafter, assailed the said Enquiry Report by way of instituting the connected writ petition being WP(C).No.6330/2025, and the matter is pending consideration before this Court.

**4.** The learned counsel for the applicant contends that the enquiry into the complaint dated 17.10.2022, having been already concluded by the ICC, a fresh enquiry into the same very complaint is not contemplated under the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

**5.** Mr. J. Patowary, learned counsel, appearing for the applicant, further submits that the findings of the enquiry being presently under consideration before this Court in the connected writ petition, a parallel proceeding was not permissible to be so undertaken by the ICC.

**6.** Mr. D. P. Borah, learned Standing Counsel, Health Department, submits that he be granted time till 20.07.2026, to complete his instructions in the matter.

**7.** On a query being made by this Court as to what had occasioned after the issuance of the notice dated 13.04.2026, Mr. J. Patowary, learned counsel, appearing for the applicant, submits that an objection, thereto, was submitted by the applicant on 18.04.2026. However, he is

not in the know how of the further steps taken by the ICC in the matter.

**8.** In view of the prayer made by Mr. D. P. Borah, learned Standing Counsel, Health Department, the matter stands adjourned today to facilitate Mr. Borah, to complete his instructions.

**9.** Mr. D. P. Borah, shall apprise this Court as to the jurisdiction of the ICC, to hold a de-novo enquiry into the same very complaint after the enquiry was completed by it and a reported submitted in the matter.

**10.** In view of the above discussion, this Court provides that till the next returnable date, no coercive action shall be taken against the petitioner basing on any recommendation made by the ICC in pursuance to the notice dated 13.04.2026, issued to the petitioner.

**11.** Registry to list this matter again on **20.07.2026**.

**JUDGE**

**Comparing Assistant**