

GAHC010251332025



2026:GAU-AS:462

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

Case No. : WP(C)/6697/2025

SRI AJIT SONOWAL
S/O- LATE GAGAN SONOWAL
R/O VILL.- KADAM KACHARI, PO- CHARAI MORIA, PS- BOGINADI DIST.-
LAKHIMPUR, ASSAM, PIN-787032.

VERSUS

THE STATE OF ASSAM AND 5 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, FINANCE DEPARTMENT, DISPUR, GUWAHATI-781006

2:THE SECRETARY TO THE GOVT OF ASSAM

FINANCE ESTABLISHMENT-B DEPARTMENT DISPUR
GUWAHATI-06.

3:THE ACCOUNTANT GENERAL

ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI-29

4:THE DIRECTOR OF ACCOUNTS AND TREASURIES ASSAM
KAR BHAVAN
DISPUR
GUWAHATI- 781006

5:THE EXECUTIVE ENGINEER
PHE DIVISION
JAPI SAJIA
NORTH LAKHIMPUR ASSAM.

6:THE GENERAL MANAGER

SIVASAGAR DISTRICT INDUSTRIES AND COMMERCE CENTRE DICC
SIVASAGAR

For the Petitioner(s) : Mr. L. N. Dihingia, Advocate

For the Respondent(s) : Mr. R. R. Gogoi, Standing Counsel
: Mr. C. Baruah, Standing Counsel
: Mr. A. Chaliha, Standing Counsel

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 09.01.2026

Heard Mr. L. N. Dihingia, the learned counsel appearing on behalf of the Petitioner and Mr. A. Chaliha, the learned Standing counsel appearing on behalf of the Finance Department. I have also heard Mr. R. R. Gogoi, the learned Standing counsel appearing on behalf of the PHE Department and Mr. C. Baruah, the learned Standing counsel appearing on behalf of the Accountant General.

2. The Petitioner herein is aggrieved by the delay in disposal of the Appeal filed by the Petitioner against the dismissal order dated 27.03.2025 passed by the Secretary to the Government of Assam, Finance (Establishment-B) Department in the departmental proceedings initiated against the Petitioner.

3. It is seen that the Appeal was filed on 14.08.2025. On account of the delay in disposal of the said Appeal, the Petitioner has approached this Court taking into account that as the Petitioner is the sole breadearner of the family, the delay in disposal of the Appeal have rendered the situation of the Petitioner and his family members

precarious.

4. It is noticed that upon filing of the writ petition, this Court sought for instructions from the Finance Department vide an order dated 28.11.2025 as to what steps have been taken by the Appellate Authority as regards the Appeal so filed by the Petitioner on 14.08.2025. It is disheartening to take note of that the learned Standing counsel for the Finance Department however has not been able to provide any instructions in that regard.

5. It is the opinion of this Court that the Appellate Authority cannot delay in disposal of the Appeal more so when the Appeal has been filed challenging a dismissal order.

6. Consequently, this Court therefore disposes of the instant writ petition with a direction upon the Appellate Authority to dispose of the Appeal so filed by the Petitioner on 14.08.2025 within a period of 2 (two) months from the date a certified copy of the instant order is served upon the Secretary to the Government of Assam, Finance (Establishment-B) Department.

7. For the sake of clarity, this Court however observes that in the circumstance the Appeal has been disposed of, the Petitioner shall be forthwith intimated.

8. Liberty is given to the Petitioner to again approach this Court if the Appellate decision is against the Petitioner.

JUDGE

Comparing Assistant