

GAHC010254592025



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

Case No. : WP(C)/6519/2025

MATINUR RAHMAN
SON OF LATE MAQUIBAR RAHMAN, RESIDENT OF- SOUTH SARANIA,
GUWAHATI-03, ASSAM.

VERSUS

THE STATE OF ASSAM AND 5 ORS.
REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT.
OF ASSAM, FOOD, PUBLIC DISTRIBUTION AND CONSUMER AFFAIRS
DEPARTMENT, JANATA BHAWAN, DISPUR-06, ASSAM.

2:ADDITIONAL CHIEF SECRETARY TO THE GOVT OF ASSAM
FOOD
PUBLIC DISTRIBUTION AND CONSUMER AFFAIRS DEPARTMENT
JANATA BHAWAN
DISPUR-06
ASSAM

3:THE COMMISSIONER
FOOD
PUBLIC DISTRIBUTION
CONSUMER AFFAIRS AND LEGAL METROLOGY
R.K. MISSION ROAD
P.O.-ULUBARI
DIST- KAMRUP(M)
ASSAM
PIN-781007

4:THE SECRETARY

FOOD
PUBLIC DISTRIBUTION AND CONSUMER AFFAIRS DEPARTMENT

JANATA BHAWAN
DISPUR-06
ASSAM.

5:THE DISCIPLINARY AUTHORITY CUM ENQUIRY OFFICER
SMTI ANASUA DUTTA BARUA
THE SECRETARY TO THE GOVERNMENT OF ASSAM
FOOD
PUBLIC DISTRIBUTION AND CONSUMER AFFAIRS DEPARTMENT
JANATA BHAWAN
DISPUR-06
ASSAM.

6:THE DISTRICT COMMISSIONER

MORIGAON
DISTRICT- MORIGAON
ASSA

Advocate for the Petitioner : MR. D DAS SR. ADV, Y KHAUND,MR. S M MUNIR,MR. K MOHAMMED

Advocate for the Respondent : GA, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

19.11.2025

Heard Mr. D. Das, learned Senior Counsel assisted by Mr. K Mohammed, learned counsel for the petitioner.

The petitioner before this Court is putting a challenge to the order of punishment of Compulsory Retirement dated 04.08.2025 imposed by the Disciplinary Authority on the basis of an enquiry purportedly conducted by the said Disciplinary Authority itself. That apart, while conducting the enquiry the

Disciplinary Authority had relied on a preliminary report in which the writ petitioner was not given an opportunity to participate. Under such circumstances, the imposition of punishment of compulsory retirement is put to challenge in the present writ petition.

Issue Notice, returnable by 15.12.2025.

Mr. TC Chutia, learned Additional Senior Government Advocate, Assam appears for all the respondents. Therefore, Notices are waived. However, extra copies be furnished to him within 1 (one) week from today.

The respondents may complete their instructions and file necessary affidavit.

The record relating to the Departmental Proceedings may also be kept ready for perusal of the Court, if need so arises.

Let the matter be listed on 15.12.2025.

JUDGE

Comparing Assistant