

GAHC010255772024



undefined

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

Case No. : Cont.Cas(C)/649/2024

ABDUL KUDDUS
S/O LATE PESKAR ALI
R/O VILL- DOLOITOLA
P.O. SONIADI, P.S. HAJO
DIST. KAMRUP, ASSAM
PIN-781102

VERSUS

MR ADITYA HAZARIKA AND ANR
THE LEGAL REMEMBRANCER CUM COMMISSIONER AND SECRETARY TO
THE GOVERNMENT OF ASSAM, JUDICIAL DEPARTMENT, DISPUR,
GUWAHATI, DIST. KAMRUP (M), PIN-781006

2:MR DIPANKAR NATH
THE SENIOR GOVERNMENT ADVOCATE
ASSAM
GAUHATI HIGH COURT
GUWAHATI

DIST. KAMRUP (M)
ASSAM
PIN-78100

Advocate for the Petitioner : MR. K N CHOUDHURY, MS. L WANGSA, MS A DAS, MRS. R S DEURI, MR. T DEURI

Advocate for the Respondent : MS D DEVI (R-2), MR. D MOZUMDER(R-2), MR. D MAZUMDAR(R-2), MS. S NATH(R-2)

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

23.02.2026

Heard Mr. N. Gautam, learned counsel for the petitioner. Also heard Mr. D. Mozumder, learned Senior Counsel for the respondent No.2.

2. This contempt petition has been filed by the petitioner alleging willful disobedience of the directions passed in the order dated 21.09.2024 passed WP(C) No.4258/2023, whereby the writ petition disposed of remitting the matter back to the respondents to re-consider the punishment earlier imposed. The said orders were directed to be passed within a period of four weeks.

3. Mr. D. Mozumder, learned Senior Counsel appearing for respondent No. 2, submits that upon reconsideration of the matter the disciplinary authority has decided to impose the penalty of withholding three increments with cumulative effect under Rule 7(ii) of the Assam Services (Discipline & Appeal) Rules, 1964 by the order dated 20.02.2026 whereby the petitioner has been directed to be reinstated in service forthwith, however, without any financial benefits for the period from the date of suspension till the date of reinstatement, following the principle of no work no pay, other than what he has already been paid as subsistence allowance during the period from the date of suspension till the Disciplinary Authority's order dated 03.04.2021, imposing the penalty of compulsory retirement against him.

4. Mr. D. Mozumder, learned Senior Counsel for the respondent No.2 therefore, submits that the directions contained in the impugned order has been

complied with therefore, this contempt petition be closed.

5. The learned counsel for the petitioner does not disagree with the submissions made by the learned counsel for the respondent.

6. Considering the submissions made, it is seen that the directions contained in the order dated 21.09.2024 passed WP(C) No.4258/2023 have been complied with therefore, the Court does not wish to proceed any further in the contempt petition. Accordingly, this contempt petition stands closed.

7. Notices issued earlier, if any are recalled.

JUDGE

Comparing Assistant