

GAHC010265612025



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

Case No. : WP(C)/7190/2025

THE UNION OF INDIA AND 5 ORS
REPRESENTED BY THE SECRETARY, MINISTRY OF RAILWAYS, RAILWAY
BOARD, RAIL BHAWAN, NEW DELHI- 110001.

2: SECRETARY
MINISTRY OF RAILWAYS
RAILWAY BOARD
RAIL BHAWAN
NEW DELHI-110001.

3: GENERAL MANAGER
NORTH EAST FRONTIER RAILWAY
MALIGAON
GUWAHATI-781011.

4: GENERAL MANAGER (P)
NORTH EAST FRONTIER RAILWAY
MALIGAON
GUWAHATI-781011.

5: GENERAL MANAGER/ CONSTRUCTION
NORTHEAST FRONTIER RAILWAY
MALIGAON
GUWAHATI-781011.

6: CHETAN KUMAR SRIVASTAVA
NORTHEAST FRONTIER RAILWAY
MALIGAON
GUWAHATI-781011

VERSUS

PRADIP KUMAR HIRA
S/O- LATE KRIPA NATH HIRA, DEPUTY CHIEF MECHANICAL ENGINEER/

CONSTRUCTION N. F. RAILWAY, MALIGAON, GUWAHATI, PIN- 781011.

Advocate for the Petitioner : MR H GUPTA,

Advocate for the Respondent : MR. B K SEN (LEGAL AID COUNSEL FOR R-1),

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 16.02.2026

(K.R. Surana, J)

Heard Mr. H. Gupta, learned CGC. Also heard Mr. S. Choudhury, learned counsel for the respondent and Mr. B.K. Sen, learned legal aid counsel appears for respondent no. 1. However, as the respondent has engaged his learned private counsel by giving vakalatnama which has been filed, exempt further appearance of the learned legal aid counsel on behalf of respondent no. 1 is exempted.

2. Accordingly, the Registry shall not reflect the name of learned legal aid counsel in the cause-list and on behalf of respondent no. 1, the name of S. Choudhury, learned counsel for respondent no. 1 shall be reflected while listing the matter next.

3. The learned CGC has submitted that the petitioner has been relieved from his post as Deputy Chief Mechanical Engineer, Construction, N.F.Rly for which reliance is placed on the office order no. 68/2025 (Gaz), dated 21.10.2025, to show that the petitioner was released from his place of posting.

4. However, the Court notices that in the same order it has also been provided that before relinquishing the charge the petitioner should deposit the metal pass if any to the Gazatted section of the headquarter. In this regard, the Court takes further notice of the contents of the order dated 11.11.2025, passed in M.A.210/2025, wherein a *prima facie* satisfaction was recorded by the learned Central Administrative Tribunal that the respondent has not relinquished charge nor handed over the charge or deposited keys to the Gazatted section. However, learned Central Administrative Tribunal, Guwahati has also recorded that the respondent has not reported for duty after 22.10.2025.

5. Be that as it may, the learned counsel for the respondent has produced a copy of order dated 06.01.2026, passed by the learned Central Administrative Tribunal, Guwahati, wherein it has been recorded that as agreed to by both the parties, the matter be listed for hearing on 19.02.2026 and till then the interim order was ordered to continue. The Copy of the said order is retained on record.

6. In view of the agreement between the parties for fixing a date of hearing before the learned Central Administrative Tribunal on 19.02.2026, the Court is inclined to record that it is hoped that on 19.02.2026, the learned Central Administrative Tribunal, Guwahati shall make all endeavour to hear the matter.

7. Accordingly, this writ petition is kept pending, awaiting for the further orders that may be passed by the learned Central Administrative Tribunal, Guwahati on 19.02.2026.

8. List the matter on 25.02.2026.

JUDGE

JUDGE

Comparing Assistant