

GAHC010275292025



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

Case No. : WP(C)/17/2026

MD. ROUCHAN ALI @ UBC NO. 224 ROUCHAN ALI
S/O MR. MOMIRUDDIN MUNCHI, R/O VILLAGE- 270, 2 PAIKAN PT II,
MATIA, KRISHNAI, P.O.- KRISHNAI, P.S.- DUDHNAI, DISTRICT- GOALPARA,
PIN- 783126, ASSAM.

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REPRESENTED BY CHIEF SECRETARY TO THE GOVT. OF ASSAM, DISPUR,
GUWAHATI- 6.

2:THE COMMISSIONER AND SECRETARY
DEPARTMENT OF HOME
GOVERNMENT OF ASSAM
ASSAM SACHIVALAYA
DISPUR-781006
ASSAM.

3:THE DIRECTOR GENERAL OF POLICE
OFFICE OF THE DGP
ULUBARI
GUWAHATI-781007
ASSAM.

4:SUPERINTENDENT OF POLICE
SOUTH SALMARA MANKACHAR DISTRICT
ASSAM.

5:THE SUPERINTENDENT OF POLICE
GOALPARA
DIST- GOALPARA
ASSAM

6:THE ADDITIONAL SUPERINTENDENT OF POLICE
SOUTH SALMARA DISTRICT
ASSAM

7:THE INSPECTOR GENERAL OF POLICE
WESTERN RANGE
ASSAM
BONGAIGAO

Advocate for the petitioner(s): Mr. SP Das

Advocate for the respondent(s):Mr. TC Chutia, Addl. Sr. Govt. Advocate

B E F O R E
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

07.01.2026

Heard Mr. SP Das, the learned counsel appearing on behalf of the petitioner.

2. Issue notice of motion making it returnable on 24.03.2026.
3. Mr. TC Chutia, the learned Addl. Senior Govt. Advocate, Assam accepts notice on behalf of all the respondents. Extra copies of the writ petition be served upon him by tomorrow.
4. The petitioner herein is aggrieved by the order of dismissal from service dated 03.07.2023 as well as the subsequent dismissal of the appeal filed there against vide the order dated 29.02.2024.
5. Mr. SP Das, the learned counsel appearing on behalf of the petitioner submits that the dismissal of the petitioner is completely contrary to the Principles of Natural Justice *inasmuch as*, the petitioner was not even furnished

the enquiry report and as such the petitioner has been seriously prejudiced.

6. It is also the submission of the learned counsel appearing on behalf of the petitioner that the punishment so meted out to the petitioner was disproportionate, *inasmuch as*, the respondents have reduced two increments in respect to another similarly situated employee, whereas in respect to the petitioner, the respondents have dismissed him from service.

7. Taking into account the said aspect, the learned counsel for the petitioner submits that since 2023 the petitioner is no longer in service and as such, the matter requires an urgent disposal.

8. This Court has also given an anxious consideration to the materials on record and is of the opinion that the instant writ petition requires an urgent disposal.

9. Accordingly, the respondents herein are directed to bring on record their stand by way of filing an affidavit on or before 13.03.2026.

10. The petitioner is given the liberty to file the reply on or before 20.03.2026.

11. The respondents shall produce the records of the departmental proceedings as well as the appellate proceedings on the next date so fixed.

12. An attempt shall be made to dispose of the writ petition on the next date.

JUDGE

Comparing Assistant