

GAHC040005632024



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

Case No. : WP(C)/175/2024

Techi Tabang
Son Late Techhi Tana, resident of Palin, PO and PS Palin, Kra Daadi District,
Arunachal Pradesh 791118

VERSUS

The State of AP and 5 Ors
represented by Chief Secretary, Govt of Arunachal Pradesh, Itanagar

2:The Secretary RD
Age: 0
Occupation :
Govt of Arunachal Pradesh
Itanagar

3:The Director RD
Age: 0
Occupation :
Govt of Arunachal Pradesh
Itanagar

4:The Deputy Commisioner
Age: 0
Occupation :
Kra Daadi District
Arunachal Pradesh 791118

5:The Project Director
Age: 0
Occupation :
DRDA -cum- DPDO
Kra Daadi District
Arunachal Pradesh

6:Higio Tala (Retired APCS)
Age: 0
Occupation :
Son of Late Higio Taniam the then Deputy Commissioner Kra Daadi District
Arunachal Pradesh resident of Near PWD Division IV Itanagar
PO and PS Itanagar
C/o Principal Green Mount School
Itanagar
Papumpare District
Arunachal Pradesh 79111

Advocate for the Petitioner : Reken Ingo

Advocate for the Respondent : GA (AP)

BEFORE
HONBLE MRS. JUSTICE MARLI VANKUNG

ORDER

Date : 01.05.2024

Heard Mr. R. Ingo, learned counsel for the petitioner, who has filed this instant writ petition under Article 226 of the Constitution of India for issuing an order to the respondents to act upon the recommendation made as per the Enquiry Report submitted by the Enquiry Officer after duly enquiring into the allegation made against the petitioner for misappropriation of funds which was released while he was posted as the Block Development Officer at Palin CD Block, wherein, the funds were meant for cluster farming during Covid-19. As per the recommendation made in the Enquiry Report, it was found that the Charge Officer/the petitioner was the only BDO who implemented the scheme of Cluster Farming successfully to some extent in his jurisdiction. Besides the said findings, the Enquiry Report had made other recommendations for initiating enquiry against other BDOs and Project Directors and for obtaining status report from all CD Block of Arunachal Pradesh in the public interest to ascertain that

the procedure and status of implementation of cluster farming and maintenance of assets, equipment and farm land is done.

The learned counsel for the petitioner submits that he has made a representation to the Chief Secretary, Government of Arunachal Pradesh, dated 06.02.2024 for taking steps and to implement the recommendation made in the Enquiry Report. However, till date no steps have been taken by the State respondents.

In view of the submission made above, this Court finds it fit to issue notice to the respondents, returnable in 3 (three) weeks.

As Ms. G. Ete, learned Additional Senior Government Advocate has accepted notice on behalf of the respondents no. 1 & 4 and Mr. B. Picha, learned Standing counsel for the Rural Development has accepted notice on behalf of the respondents no. 2, 3 & 5, no formal notice is required to be sent. However, requisite extra-copies of the writ petition along with the documents appended thereto be furnished to them during the course of the day.

Steps for service of notice upon the respondent no. 6 be taken by registered post with A/D as well as by usual process within 3 (three) days.

List it after 3 (three) weeks.

JUDGE

Comparing Assistant