

GAHC040007932024



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

Case No. : WP(C)/245/2024

Ennyo Nangkar
Son of Atang Nangkar, a resident of C Sector, Itanagar, PO and PS Itanagar,
Papumpare District, Arunachal Pradesh 791111 and a permanent resident of Gosang
Village, PO and PS Jengging, Upper Siang District, Arunachal Pradesh

VERSUS

The State of AP and 2 Ors
represented through the Chief Secretary,
Govt of Arunachal Pradesh

2:The Secretary Land Management
Age: 0
Occupation :
Govt of Arunachal Pradesh
Itanagar
Arunachal Pradesh Civil Secretariat
Itanagar

3:The Inquiry Officer
Age: 0
Occupation :
represented through Shri C N Longphai
IAS
Secretary Home
govt of Arunachal Pradesh
Arunachal Pradesh Civil Secretariat
Itanaga

Advocate for the Petitioner : Mr. Muk Pertin, Senior Advocate

Advocate for the Respondent : Mr. S. Tapin, Sr.G.A (AP)

**BEFORE
HONBLE MR. JUSTICE MANASH RANJAN PATHAK**

ORDER

Date : 25.06.2024

Heard Mr. Muk Pertin, learned senior counsel assisted by Mr. K. Dabi, learned counsel for the petitioner and Mr. S. Tapin, learned Senior Government Advocate appearing for respondent No. 1.

While serving as Director of Land Management Department, a Disciplinary Proceeding was initiated against the petitioner by Memorandum of Charge dated 04.02.2022. Though he was suspended from service by order, dated 30.09.2021, being detained in custody for more than 48 hours in connection with a Vigilance Police Station Case, later, by order, dated 30.06.2022, he was reinstated in service. The petitioner on attaining the age of superannuation at 60 years, he was accordingly, released from service on 31.05.2024.

The petitioner is aggrieved as the Secretary (Home), the concerned Inquiry Officer by communication, dated 06.06.2024, even after his retirement from service, directed him to submit his written brief on or before 28.06.2024 in said Disciplinary Proceeding initiated against him. The petitioner aggrieved with the said action has filed this writ petition.

Issue notice, returnable by **24.07.2024**.

Mr. S. Tapin, learned Senior Government Advocate has accepted notice on behalf of the respondent No. 1, no formal notice needs to be issued to the said respondent. However, the petitioner shall serve requisite extra copies of this writ petition including the annexures appended thereto, to Mr. Tapin by 26.06.2024

obtaining necessary acknowledgement from him, in that regard.

Petitioner shall also serve requisite extra copies of the writ petition to Mr. D. Kamduk, learned standing counsel for the Land Management Department for the respondent No. 2 obtaining necessary acknowledgement from him, in that regard.

Petitioner shall take steps for service of notice upon the respondent No. 3 by registered post with A/D by **26.06.2024** providing his correct address and requisite postal stamps.

Further, the petitioner is also allowed to take steps on the respondent No. 3 by *Dasti*/personal service to be routed through Registry of this Court.

Such *Dasti*/personal service shall be made on the respondent No. 3 by serving him with a copy of this writ petition including the annexures appended thereto, obtaining his signature with date and seal in presence of one or more witnesses. Thereafter, the petitioner shall file an affidavit towards completion of such *Dasti*/personal service on the said respondent No. 3.

Such *Dasti*/personal service on the respondent No. 3 shall be made on or before **28.06.2024**.

The interim prayer of the petitioner shall be considered on the next returnable date after due service on the respondents.

JUDGE

Comparing Assistant