

GAHC040021332025



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

Case No. : WP(C)/614/2025

Smti Yajum Lombi Yumlam
Wife of Yumlam Tana, resident of Jullang, PO and PS Itanagar, Papum Pare District,
Arunachal Pradesh.

VERSUS

The State of AP and 4 Ors
represented by the Commissioner (Transport), Govt of Arunachal Pradesh, Itanagar.

2:The Commissioner (Transport)

Age: 0

Occupation :

Govt of Arunachal Pradesh

Itanagar.

3:The Secretary (Transport)

Age: 0

Occupation :

Govt of Arunachal Pradesh

Itanagar.

4:The Under Secretary (Transport)

Age: 0

Occupation :

Govt of Arunachal Pradesh

Itanagar.

5:The Director (Transport)

Age: 0

Occupation :

Govt of Arunachal Pradesh

Naharlagun

Advocate for the Petitioner : Dicky Panging, Chatung Tajo,Doge Lona,Marge Doji,Daina Tamuk

Advocate for the Respondent : GA (AP),

**BEFORE
HONOURABLE MRS. JUSTICE MARLI VANKUNG**

ORDER

Date : 22-01-2026

Heard Ms. Diana Tamuk, learned counsel for the petitioner, who has filed the instant writ petition under Article 226 of the Constitution of India for the issuance of the appropriate writ or order by assailing the order dated 15.09.2025, issued by the respondent No. 2, wherein the petitioner was deemed to be suspended with effect from the date of her detention i.e., 06.09.2025 and the petitioner was to remain under suspension until further order in terms of Rule 10 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965.

2. The learned counsel for the petitioner submitted that the petitioner was arrested on 06.09.2025 pursuant to an FIR dated 01.07.2025, on the grounds that one Toyota Fortuner Vehicle which was registered at Ziro, while the petitioner was serving as a District Transport Officer at Ziro, had been found to be a stolen vehicle. A case was registered against the petitioner as ITA PS Case No. 102/2025 under Sections 112(2)(b)(3)(4)(5)/317(4)/336(2)/340(2)/61(2) BNS, 2023.

The petitioner was thereafter released on bail vide order dated 09.09.2025, by the court by the Judicial Magistrate 1st Class at Yupia on finding that *prima facie* no case was made out against the petitioner as charged. The

petitioner then informed the Commissioner (Transport)/respondent No. 2 about her released on bail. However, the Commissioner (Transport) issued the impugned order and hence, the instant writ petition.

3. The learned counsel for the petitioner submits that Rule 10(6) and Rule (7) of the CCS (CCA) Rules, 1965 provides that no order of suspension made or deemed to have been made under sub-rule (1)& (2) of Rule 10 shall be valid unless it is extended after review, for the further period beyond the expiry of 90 days. The learned counsel submitted that in the instant case, the impugned order in which the petitioner was placed under suspension w.e.f. 06.09.2025 until further order, is liable to be set aside, since no review has been done for further extension of the suspension period beyond 90 days and is therefore, a violation of the relevant rules and thus prayed that the petitioner should be reinstated to the post she held before the issuance of the impugned order dated 15.09.2025.

4. Mr. S. Tapin, learned Sr. Government Advocate, vide this court's order dated 24.12.2025, was to get necessary instructions to apprise this court as to whether the department concerned had reviewed the suspension of the petitioner or not. The learned Sr. Government Advocate submits that till date, there is no review for the extension of the suspension order which is now beyond 90 days from the date from which the petitioner was suspended i.e., 06.09.2025.

5. On considering the submissions made by the learned counsels for both the parties and on perusal of the impugned order and the Central Civil Services (Classification, Control and Appeal) Rules, 1965, this court finds that the CCS (CCA) Rules clearly provides that no order of suspension made or deemed to

have been made under sub-rule (1)&(2) of Rule 10 shall be valid unless it is extended for further period before the expiry of 90 days. In the instant case, it is seen that the petitioner was suspended w.e.f. 06.09.2025 vide order dated 15.09.2025 and it is seen that there is no review held for extension of the suspension of the petitioner after the expiry of 90 days.

6. In view of the above, this court finds that the suspension of the petitioner, vide the impugned order dated 15.09.2025 is liable to be set aside and the respondent authorities are to revoke the impugned order dated 15.09.2025 whereby, the petitioner should be reinstated forthwith, to the post that the petitioner was holding before she was placed under suspension vide order dated 15.09.2025.

7. Accordingly, the instant WP(C) No. 614(AP)/2025 stands allowed and disposed of.

JUDGE

Comparing Assistant