

GAHC040009502021



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

Case No. : WP(C)/316/2021

Sujan Kriskro Chai
W/o Dr. Mohesh Chai
T. Chai Residence, Tezu
P.O Tezu, District Lohit
Arunachal Pradesh
Ph No. 9612424200

VERSUS

THE STATE OF AP and 4 Ors Through Chief Secretary
Govt. of Arunachal Pradesh Itanagar, Arunachal Pradesh

2:The Secretary (Home)Govt. of Arunachal Pradesh Itanagar, Arunachal Pradesh
Age: 0 Occupation :

3:The Director General Police Arunachal Pradesh Police, Police Headquarter Itanagar,
Arunachal Pradesh
Age: 0 Occupation :

4:Chapang Lowang Inspector runachal Pradesh Police, Police Headquarter Itanagar,
Arunachal Pradesh
Age: 0 Occupation :

5: Dr. Mohesh Chai T. Chai Residence Tezu PO Tezu Dist Lohit Arunachal pradesh
Age: 0 Occupation

Advocate for the Petitioner : D K Deori
Advocate for the Respondent : GA (AP)

**BEFORE
HONBLE MR. JUSTICE NANI TAGIA**

ORDER

Date : 20.07.2023

None appears for the petitioner, on call. However, Mr. Subu Tapin, learned Senior Government Advocate, appears on behalf of respondents No. 1, 2 & 3; and Mr. T. Mite, learned counsel, appears on behalf of respondents No. 4 & 5.

This writ petition has been filed by the petitioner, seeking a direction to the respondent authorities to take an action against the respondent No. 4 by initiating a departmental inquiry on the basis of a complaint, dated 03.07.2020, lodged by the petitioner against the respondent No. 4 alleging violation of Rule 21(1) of the Central Civil Services(Conduct) Rules, 1965 .

On perusal of the complaint, dated 03.07.2020, lodged by the petitioner against the respondent No. 4 before the Director General of Police, Arunachal Pradesh Police, PHQ, Itanagar; Chief Secretary to the Government of Arunachal Pradesh, Itanagar; and Secretary, Home, Government of Arunachal Pradesh, Itanagar; it appears that the petitioner who is the first wife of the respondent No. 5, has lodged the complaint, dated 03.07.2020, against the Respondent No. 4 who is an Inspector in the Arunachal Pradesh Police, alleging the Respondent No. 4 to have contracted marriage with the respondent No. 5 as his second wife.

Though this writ petition has been contested by the respondents by filing their respective counter affidavits but having regard to the nature of the prayer made by the petitioner in the instant case and also in view of the fact that if at all, the respondent No. 4 have violated the rules of Central Civil Services (Conduct) Rules, 1965, by allegedly marrying the respondent No. 5 as his second wife; it is for the competent authority of the State Government to take a decision in the matter whether action against the respondent No. 4 is required to be initiated or not.

Under the circumstances; without expressing any opinion on the merit of the allegations made by the petitioner against the respondent No. 4; this writ petition is hereby disposed of with a direction to the respondent No. 3 viz. Director General of Police, PHQ, Arunachal Pradesh Police, Itanagar, to take a decision on the complaint, dated 03.07.2020, lodged by the petitioner against the respondent No. 4, in accordance with law.

The writ petition stands disposed of in terms above.

JUDGE

Comparing Assistant