

GAHC010241132019



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

Case No. : Cont.Cas(C)/595/2019

DEBOTOSH SEN PURKAYASTHA
S/O. LT. ASHUTOSH SEN PURKAYASTHA, R/O. GHANIALIA ROAD,
MALUGRAM, P.O. SILCHAR, P.S. SILCHAR, DIST. CACHAR, ASSAM, PIN-
788002, ASSAM.

VERSUS

SAMIR SINHA AND ANR.
PRINCIPAL SECRETARY DEPTT. OF HEALTH AND FAMILY WELFARE,
GOVT. OF ASSAM, DISPUR, GUWAHATI-781006.

2:ANURAG GOEL

COMMISSIONER AND SECY.
DEPTT. OF HEALTH AND FAMILY WELFARE
GOVT. OF ASSAM
DISPUR
GUWAHATI-781006

Advocate for the Petitioner : MR. U K NAIR

Advocate for the Respondent :

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

24.07.2023

Heard Mr. R. Sinha, learned counsel for the petitioner.

Although notices were issued by this Court, none has represented the respondents No. 1 & 2.

It is submitted by Mr. Sinha that by communication dated 06.02.2021, the directions passed by this Court vide order dated 10.04.2019 in W.P.(C) No. 2435/2019 has been complied with. This is evident from the communication of the respondent which is available in the case record as the same was forwarded to the Registrar (Contempt), Gauhati High Court. The same is extracted below:

“GOVERNMENT OF ASSAM

HEALTH & FAMILY WELFARE A DEPARTMENT

DISPUR GUWAHATI-781006

No.HLA.812/2017/437 Dated Dispur the 6" February, 2021

From : Shri A.L. Choudhury, ACS

Joint Secretary to the Govt. of Assam, Health & F.W. (A) Department

To : The Registrar (Contempt)

Gauhati High Court, Guwahati

Sub: Regarding Cont. Cas© No.595/2019.

Ref: Your letter No.HC/XIV/20-21/R.0.8 dated 11/1/2021.

Sir,

With reference to the letter cited above, I am directed to furnish herewith the compliance report on the order dated 10/4/2019 passed in WP© No.2435/2019 regarding regularization of leave and issue of payslip to Dr. Debotosh Sen Purakayastha, Sr.M&HO, Katigorah Model Hospital

1, Commuted leave (on medical ground) for 155 days w.e.f 29.12.2017 to 01.6.2018 has already been granted to Dr. Debotosh Sen Purakayastha, Sr.M&HO vide Govt. order No.HLA.812/2019/370 dated 12/2/2020 (copy enclosed).

2. A speaking order has been issued vide No. HLA.812/2019/372 dated

7/3/2020 with a request to Accountant General (A&E), Assam to take necessary action for issue of necessary pay slip for payment of regular salary to Dr. Debotosh Sen Purakayastha, Sr.M&HO, Katigorah Model Hospital, Cachar (copy enclosed).

As the Govt. in Health & F.W Department has complied with the order dated 10/4/2019 passed in WP© No.2435/2019, it is therefore requested to apprise Hon'ble Court accordingly with a request to drop the proceedings in the instant Contempt Case No. 595/2019.

Yours faithfully,

*Joint Secretary to the Govt. of Assam, be
Health & F.W. (A) Department*

Memo No.HLA. 812/2017/437-A Dated Dispur the 6" February, 2021

Copy to:

- 1. Sr. Standing Counsel, Health & Family Welfare Department, Gauhati High Court.*
- 2. The P.S. to Principal Secretary (senior most) to the Govt. of Assam, Health & F.W Department for information.*
- 3. The P.S to Principal Secretary (Anurag Goel, IAS) to the Govt. of Assam, Health & E-W Department for information.*

By order etc,

*Joint Secretary to the Govt. of Assam, Health
& F.W. (A) Department"*

Mr. Sinha submits that in view of the communication dated 06.02.2021, the directions of this Court by order dated 10.04.2019 passed in W.P(C) No. 2435/2019 has since been complied with and the petitioner does not wish to press the contempt petition any further.

Taking note of the submissions made together with the directions of this Court contained in the order dated 10.04.2019 passed in W.P(C) No. 2435/2019, it is seen from the communication dated 06.02.2021 issued by the Joint Secretary, Govt. of Assam, Health & Family Welfare Department has been complied with the directions passed by this Court. The contempt petition

therefore stands closed. Notices issued stands recalled.

The learned counsel for petitioner is permitted to obtain certified copy of the communication dated 06.02.2021 which is available in the case record.

JUDGE

Comparing Assistant