

GAHC010036242022



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

Case No. : WP(C)/247/2022

SOURAV DEKA AND 2 ORS
S/O SRI RABINDRA NARAYAN DEKA
RESIDENT OF VILLAGE AND PO KAKAYA
DIST NALBARI
ASSAM
781304

2: BABU SEKHAR DAS

S/O BHAGIRATH DAS
RESIDENT OF VILLAGE AND PO GAURIPUR
DIST DHUBRI
ASSAM
783331

3: HAREN KR. WARY
S/O BANESWR WARY
RESIDENT OF VILLAGE AMINGAON CHARIALI
PO AMINGAON
DIST KAMRUP ASSAM 781031
VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM
FISHERY DEPARTMENT
DISPUR GUWAHATI 06

2:THE ASSAM FISHERY DEVELOPMENT CORPORATION CACHAL
CACHAL
VIP ROAD

GUWAHATI
781036
REPRESENTED BY THE MANAGING DIRECTOR

3:THE MANAGING DIRECTOR

THE ASSAM FISHERY DEVELOPMENT CORPORATION CACHAL
VIP ROAD
GUWAHATI
781036

Advocate for : MR. N J KHATANIAR

Advocate for : SC

AFDC appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : I.A.(Civil)/272/2022

THE ASSAM FISHERY DEVELOPMENT CORPORATION CACHAL
CACHAL
VIP ROAD
GUWAHATI
781036
REPRESENTED BY THE MANAGING DIRECTOR

VERSUS

SOURAV DEKA AND 2 ORS
S/O SRI RABINDRA NARAYAN DEKA
RESIDENT OF VILLAGE AND PO KAKAYA
DIST NALBARI
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2:BABU SEKHAR DAS
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ASSAM
783331

3:HAREN KUMAR WARY
S/O BANESWR WARY
RESIDENT OF VILLAGE AMINGAON CHARIALI

PO AMINGAON
DIST KAMRUP ASSAM 781031

Advocate for : MR P SHARMAH
Advocate for : MR. N J KHATANAR appearing for SOURAV DEKA AND 2 ORS

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

27.11.2024

Heard Mr. N.J. Khataniar, learned counsel for the petitioners. Also heard Mr. J.K. Goswami, learned Addl. Senior Government Advocate for the State respondents.

Mr. N.J. Khataniar, learned counsel for the petitioners submits that this writ petition has been filed apprehending that the petitioners' appointment would be terminated by the respondents without following the due process of law.

Pertinent that this Court on 19.01.2022 while issuing notice, in the interim, provided that no action to terminate the services of the petitioners shall be initiated by the Co-operation, without serving prior show cause notice upon them and without affording an opportunity of being heard in the matter.

Mr. N.J. Khataniar, learned counsel for the petitioners submits that during the pendency of the present writ petition, the authorities have served show cause notice to the petitioners and accordingly submits that after issuance of such show cause notice, the selection of the petitioners have also been terminated, which is under challenge in WP(C) No. 5534/2022.

In view of the aforesaid endorsement made by the learned counsel appearing for the petitioners, the writ petition has become infructuous and accordingly, the writ petition stands dismissed, on being infructuous.

JUDGE

Comparing Assistant