

GAHC010018122014



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

**Case No. : WP(C)/5917/2014**

NOBA KANTA NEOG  
S/O- LT. GHANA KANTA NEOG, R/O VILL.- MALWALI, P.O., P.S. and DIST.-  
JORHAT, PIN- 78....., ASSAM.

VERSUS

THE STATE OF ASSAM AND ANR  
REP. BY THE SECY. TO THE GOVT. OF ASSAM, DEPTT. OF IRRIGATION,  
DISPUR, GHY- 6, ASSAM.

2:THE DY. SECRETARY E TO THE GOVT. OF ASSAM  
DEPTT. OF IRRIGATION  
DISPUR  
GHY- 6  
ASSAM

**Advocate for the Petitioner** : MR.M K SHARMA, MR.A B CHOUDHURY,MISS.P M  
AHMED,MR.M A CHOUDHURY

**Advocate for the Respondent** : , ,DR.B AHMED,SC, IRRIGATION

**BEFORE**  
**HONOURABLE MR. JUSTICE SUMAN SHYAM**

**ORDER**

**Date : 24/09/2024**

Heard Mr. M. K. Sharma, learned counsel for the writ petitioner. Also hard Mr. N. Upadhyay,  
learned Standing Counsel, Irrigation Department, Assam, appearing for the respondents.

The petitioner herein has retired from service as Superintending Engineer under the Irrigation Department, on attaining the age of superannuation with effect from 31/08/2012. The grievance of the petitioner in this writ petition is pertaining to alleged erroneous fixation of *inter se* seniority of the departmental candidates in the gradation list.

Today, when the matter is called up, Mr. M.K. Sharma, learned counsel for the petitioner submits that his client has expired on 06/04/2021 and, therefore, nothing survives in the writ petition for adjudication. Mr. N. Upadhyay, learned Standing Counsel, Irrigation Department, Assam, is present and supported the said contention.

In view of the above, this writ petition stands disposed of as infructuous.

It is clarified that the actual date of death of the petitioner is 06/04/2021 and not 06/04/2014 as has been recorded in the order dated 07/11/2023 passed in this writ petition.

**JUDGE**

*sukhamay*

**Comparing Assistant**