

GAHC010021722019



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

Case No. : WP(C)/715/2019

BASANTA HAZARIKA
S/O LATE BALARAM HAZARIKA
R/O VIJAYA ENCLAVE, LAKHIMI PATH, GUWAHATI -28,
P.O. BELTOLA
P.S. BASISTHA
DIST. KAMRUP, ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS.
REP. BY THE COMMISSIONER AND SECRETARY, DEPARTMENT TO THE
GOVT. OF ASSAM, HEALTH AND FAMILY WELFARE DEPARTMENT,
DISPUR, GUWAHATI-6.

2:THE JOINT SECRETARY ASSAM TO THE GOVT. OF ASSAM

HEALTH AND FAMILY WELFARE DEPARTMENT
DISPUR
GUWAHATI-6.

3:THE GAUHATI MEDICAL COLLEGE AND HOSPITAL

GUWAHATI REP. BY THE PRINCIPAL CUM SUPERINTENDENT
GAUHATI MEDICAL COLLEGE AND HOSPITAL
GUWAHATI BHANGAGARH
GUWAHATI-5
KAMRUP (M)
ASSAM

4:THE DIRECTOR OF MEDICAL EDUCATION

ASSAM

KHANAPARA
GUWAHATI -19

Advocate for the Petitioner : MR. N ZAMAN, MR. B CHOWDHURY, MR. S BORA, MR. A GANGULY, MR T CHHETRI

Advocate for the Respondent : SC, HEALTH,

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 09-09-2024

Heard Mr. P. Chetry, learned counsel for the writ petitioner. Also heard Ms. G. Bora, learned standing counsel, Health Department, Assam appearing for the official respondents.

In this writ petition the transfer order dated 18-01-2019, by means of which, the writ petitioner was transferred from the Gauhati Medical College & Hospital and posted at Dibrugarh Medical College & Hospital has been put under challenge.

The petitioner's counsel has admitted that the transfer order is more than 05 years old and there is no stay order operating in this case. As such, the writ petition has become infructuous for all practical purpose.

Ms. G. Bora, learned standing counsel, Health Department has also makes similar submission.

In view of the above, by granting liberty to the petitioner to approach this Court, as and when there is any fresh cause of action, this writ petition stands closed as infructuous.

JUDGE

GS

Comparing Assistant