

GAHC010022752024



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

Case No. : I.A.(Civil)/435/2024

SUSHITA PAUL DHAR,
D/O SUSHIL PAUL,
RESIDENT OF TOOL ROAD, WARD NO. 15, HAILAKANDI, 788151, ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM. MUNICIPAL ADMINISTRATION DEPTT. DISPUR ASSAM, PIN
781006

2:THE MISSION DIRECTOR (SLUM)
DIRECTOR OF MUNICIPAL ADMINISTRATION
ASSAM
GUWAHATI 781006

3:THE DEPUTY COMMISSIONER
HAILAKANDI 788151

4:THE ADDITIONAL DEPUTY COMMISSIONER CUM CITY PROJECT
OFFICER

CMMU
DAY-NULM
HAILAKANDI 788151

5:THE EXECUTIVE OFFICER

HAILAKANDI MUNICIPAL BOARD
HAILAKANDI 788151

6:THE STATE PROJECT

MANAGER (HR AND ADMIN) SPM. ASULMS
GUWAHATI 0

Advocate for the Petitioner : MR. R P SARMAH

Advocate for the Respondent : GA, ASSAM

BEFORE
THE HON'BLE MR JUSTICE ARUN DEV CHOUDHURY
O R D E R

19.02.2024

1. Heard Mr. RP Sarmah, learned Senior counsel assisted by Ms. A Deka, learned counsel for the petitioner. Also heard Mr. R Dhar, learned counsel for the respondents.
2. The present IA is filed praying for stay of selection process initiated by an advertisement published in Janasanyog e-paper, whereby application for filling up of one post of Community Organizer under City Mission Management Unit (CMMU) at Hailakandi under Assam State Urban Livelihoods Mission Society (ASULMS) were invited.
3. The connected writ petition was filed assailing termination of service of the petitioner from her contractual service of Community Organizer at Hailakandi under CMMU. During the pendency of the connected writ petition, another advertisement was issued for filling up of the said post on 03.02.2021. However, this Court under its order dated 19.02.2021, passed in the connected writ petition, as an interim measure, directed that the post of Community Organizer vacated by the petitioner shall not be filled up till the next returnable date. Subsequently, such interim order was extended.
4. As there is already an interim order, this court sought instruction from Mr. R

Dhar, learned counsel for the respondents. On instruction, Mr. Dhar submits that though an advertisement has been issued, however, in view of the interim order passed earlier the respondents are not proceeding further with the selection process. Mr. Dhar further submits that the connected writ petition may be taken up for final disposal, as one important post is directed to be kept vacant.

5. Mr. R P Sarmah, learned Senior counsel also agrees that the writ petition can be taken up for final disposal.
6. Considering the matter in its entirety and in view of the submission made by Mr. Dhar that the respondents will not proceed with the selection process in terms of the earlier interim order dated 19.02.2021 passed by this court, the IA stands closed.

JUDGE

Comparing Assistant