

GAHC010032262018



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

Case No. : WP(C)/1030/2018

JYOTI PRASAD BORA
S/O. SRI BIJOY CH. BORAH, R/O. VILL. PARUAH GAON, P.S. SADAR, DIST.
NAGAON, ASSAM, PIN-782103

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
EDUCATION DEPTT., DISPUR, GUWAHATI-6.

2:THE DIRECTOR OF HIGHER EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19
DIST
.KAMRUP

3:THE DEPUTY COMMISSIONER
NAGAON
DIST.NAGAON
ASSAM
PIN-782001

4:THE SUPERINTENDENT OF POLICE
NAGAON
DIST. NAGAON
ASSAM.

5:THE GOVERNING BODY
REP. BY THE PRESIDENT
HATICHONG COLLEGE
HATICHONG

DIST. NAGAON
ASSAM
PIN-782003

6:THE PRINCIPAL AND SECRETARY
HATICHONG COLLEGE
HATICHONG
DIST. NAGAON
ASSAM
PIN-782003

7:THE PRESIDENT
DISCIPLINARY AUTHORITY
HATICHUNG COLLEGE
HATICHUNG
NAGAON

Advocate for the Petitioner : MR H R A CHOUDHURY

Advocate for the Respondent : SC, HIGHER EDU

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 24.04.2024

The matter was heard at length and was listed today for delivery of order.

However, Mr. P. Borah, learned counsel for the petitioner has made a prayer that he be permitted to withdraw the present writ petition and approach the jurisdictional Educational Tribunal towards redressal of his grievances inasmuch as the Disciplinary Proceeding, which forms the subject matter of the present proceeding has a bearing with regard to his provincialisation in services.

The said prayer has not been objected to by Mr. H. Sarmah, learned counsel appearing for the Hatichong College, Nagaon as well as Mr. K. Gogoi, learned Standing Counsel for the Higher Education Department. Accordingly, the present writ petition stands dismissed on withdrawal with liberty granted to the petitioner to raise the issues as arising in the present proceeding before the jurisdictional Educational Tribunal.

In the event, the petitioner approaches the jurisdictional Educational Tribunal, the Tribunal while entertaining the petition and in the event a question of delay so arises therein, the Tribunal shall take note of the fact that the issue was pending before this Court in the proceeding of WP(C)/4680/ 2017 and, thereafter, in the present proceeding i.e. WP(C)/1030/2018.

JUDGE

Comparing Assistant