

GAHC010053142024



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

Case No. : WP(C)/1517/2024

MOHI UDDIN @ MAHEJ UDDIN
S/O- LATE ABDUL KUDDUS, R/O- VILLAGE- UZIRARCHAR, P.S. ALOPATI
CHAR, DISTRICT- BARPETA, ASSAM

VERSUS

THE STATE OF ASSAM AND 2 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, DEPARTMENT OF SCHOOL EDUCATION,
DISPUR, GUWAHATI-6

2:THE INSPECTOR OF SCHOOLS
BARPETA
CIRCLE- BARPETA
DISTRICT- BARPETA
ASSAM
PIN- 781301

3:THE DIRECTOR OF SECONDARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-1

Advocate for the Petitioner : MR. M A SHEIKH

Advocate for the Respondent : SC, EDU

**BEFORE
HONOURABLE MR. JUSTICE LANUSUNGKUM JAMIR**

ORDER

Date : 03.06.2024

Heard Mr. M. A. Sheikh, learned counsel for the petitioner.

The petitioner while serving as Assistant Teacher of B.S. Kadamtala High School was arrested on 06.04.2023 in connection with Alopati Char P.S. Case No. 10/2023 under Section 120(P)/302/34 IPC. Thereafter, by an order dated 01.02.2024 the petitioner was placed under suspension with immediate effect pending drawl of departmental proceeding. The petitioner is before this Court with the following prayers:

“Under the above facts and circumstances it is therefore prayed that Your Lordships would be pleased to admit this petition, call for the record issue a Rule calling upon the Respondents to show cause as to why a writ in the nature of mandamus shall not be issued to direct the Respondents in general and Respondent No.2 in particular to set aside the impugned suspension Order dated 1.02.2024 passed by the Respondent no.2 (Annexure No.17) and to show cause as to why the Respondents shall not be directed to re-instate the Petitioner to the post of Assistant Teacher of B. S. Kadamtala High School and on perusal of record and reply to show cause if any and after hearing the parties would be pleased to make the rule absolute by directing the Respondents in general and Respondent No.2 in particular to set aside the impugned order dated 1.2.2024 (Annexure No.17) and to re-instate the Petitioner to the post of Assistant Teacher of B. S. Kadamtala High School and or pass any other order (s) as Your Lordships may deem fit and proper for the interest of justice.”

Today, when the matter is called up Mr. U. Sharma, learned standing counsel, Secondary Education Department has produced a communication dated 03.06.2024, written by the In-charge Inspector of Schools, Barpeta District Circle , Barpeta which states that the petitioner has been reinstated in its original post with immediate effect by order dated 01.06.2024, pending drawal

of departmental proceeding.

Mr. M. A.Sheikh, learned counsel for the petitioner submits that as the petitioner has now been reinstated back into his original post by the order dated 01.06.2024, writ petition may be closed.

Recording the submission made by the learned counsel for the petitioner, this writ petition is accordingly closed.

The communication dated 03.06.2024 is placed on record.

JUDGE

Comparing Assistant