

GAHC010056312024



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

Case No. : WP(C)/1568/2024

RAJANI KANTA DAS
S/O- LATE RABI RAM DAS,
R/O- HOUSE NO. 21, TRINAYAN NAGAR,
BELTOLA, P.O.- BASISTHA,
GUWAHATI- 781029, ASSAM.
(PRESENTLY SERVING AS LOWER DIVISION ASSISTANT, IN THE OFFICE
OF THE DEPUTY REGISTRAR OF CO-OPERATIVE SOCIETIES, KAMRUP,
GUWAHATI).

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,
CO-OPERATION DEPARTMENT,
DISPUR, GUWAHATI- 781006.

2:THE REGISTRAR OF CO-OPERATIVE SOCIETIES
ASSAM
KHANAPARA
GUWAHATI

DISTRICT- KAMRUP(METRO)
ASSAM- 781022

Advocate for the Petitioner : MR. B D KONWAR SR. ADV.

Advocate for the Respondent : SC, CO OP

**BEFORE
HONOURABLE MR. JUSTICE LANUSUNGKUM JAMIR**

ORDER

Date : 20.03.2024

Heard Mr. B. D. Konwar, learned Senior counsel assisted by Ms. S. Jain, learned counsel for the petitioner. Also heard Mr. G. Bordoloi, learned standing counsel, Co-operative Department for the respondents.

2. While the petitioner was serving as Junior Inspector/Auditor of Co-operative Societies in the Office of the Registrar of Co-operative Societies Assam, a show cause notice dated 12.01.2023 was issued with charges of dereliction of duty, insubordination and willful disobedience of official order. The petitioner replied to the show cause notice on 23.01.2023. Thereafter, a disciplinary proceeding was initiated against the petitioner which culminated with the order dated 2nd of June, 2023, by which the petitioner was inflicted with a penalty of reduction to lower rank/grade of Junior Assistant (LDA) under Rule 7(iv) of the Assam Services (Discipline and Appeal) Rules 1964.

3. Being aggrieved, the petitioner filed an appeal on 01.02.2024, before the Registrar of Co-operative Societies Assam. The appeal is yet to be disposed of till date.

4. Accordingly without entering into the merits, the writ petition is disposed of directing the respondent No.2/ Registrar of Co-operative Societies/appellate Authority to consider and dispose of the appeal filed by the petitioner on

01.02.2024, within a period of 1(one) month from the date of receipt of a copy of the order of this Court.

5. Till the appeal is disposed of, one post of Junior Inspector/Auditor of Cooperative Societies shall not be filled up.

6. With the above observations and directions, this writ petition is disposed of.

JUDGE

Comparing Assistant