

GAHC010059132024



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

Case No. : WP(C)/1725/2024

HAFIZUR RAHMAN
S/O- LATE ABDUL SAMAD ALI,
RESIDENT OF GANDHIBASTI, HOUSE NO.-08,
P.O.- SILPUKHURI, P.S.- CHANDMARI,
GUWAHATI, DISTRICT- KAMRUP(M),
ASSAM, PIN- 781003.

VERSUS

THE STATE OF ASSAM AND 3 ORS
THROUGH THE PRINCIPAL SECRETARY
TRANSPORT DEPARTMENT, DISPUR,
GUWAHATI -781006.

2:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI- 781006.

3:THE DEPUTY SECRETARY TO THE GOVT. OF ASSAM
TRANSPORT DEPARTMENT
DISPUR
GUWAHATI-6.

4:DIRECTOR
INLAND WATER TRANSPORT
ASSAM
ULUBARI
GUWAHATI- 781007

Advocate for the Petitioner : MR. I H SAIKIA

Advocate for the Respondent : SC, TRANSPORT DEPARTMENT, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA**

ORDER

Date : 08-05-2024

Heard Mr. I.H. Saikia, learned counsel for the petitioner as well as Ms. M.D. Borah, learned standing counsel for the Transport Department appearing for the respondent nos.1, 3 and 4 and Mr. P. Nayak, learned standing counsel for the Finance department appearing for the respondent no.2.

As the prayer no.1 is hit by the principles of *res-judicata* for which preliminary objection was raised and recorded in the order dated 26.04.2024, the learned counsel for the petitioner seeks to withdraw this writ petition and to approach the Court again without prayer no.1. Prayer is allowed.

The matter stands dismissed on withdrawal with liberty as prayed for.

However, liberty is not in respect of prayer no.1 of this writ petition whereby the petitioner has claimed for being promoted to the next higher post.

JUDGE

Comparing Assistant