

GAHC010089492024



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

Case No. : I.A.(Civil)/1342/2024

BIJOY KALITA
S/O LATE KALICHARAN KALITA, R/O HOUSE NO. 1(A), NATUN NAGAR,
NEAR T.V. TOWER, KAHILIPARA, P.O.-KAHILIPARA, P.S.-DISPUR,
GUWAHATI-781019, DIST-KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, HOME AND POLITICAL DEPARTMENT, DISPUR,
GUWAHATI-781006

2:THE DIRECTOR GENERAL OF POLICE
ASSAM POLICE HEADQUARTERS
ULUBARI
GUWAHATI-781007

3:THE COMMANDANT
12TH APBN
JAMUGURIHAT
SONITPUR
ASSAM

4:THE COMMANDANT
15TH AP(IR) BATTALION
ERALIGOOL
KARIMGANJ
ASSA

Advocate for the Petitioner : MR. K N CHOUDHURY

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE LANUSUNGKUM JAMIR**

ORDER

Date : 24.06.2024

Heard Ms. R. R. Kakati, learned counsel for the applicant as well as Mr. B. Deuri, learned Govt. Advocate appearing on behalf of all the respondents.

By this application, the applicant who is the writ petitioner in WP(C)/2264/2023 is praying for correction at paragraph-14 of the order dated 20.03.2024 passed by this Court in WP(C)/2264/2023.

The learned counsel for the applicant submits that in the second line of para-14 of the said order a typographical error has occurred, wherein, the order imposing the penalty of dismissal has been recorded as 31.03.2022, whereas, it should read as 31.03.2023.

This Court has perused the records and is of the considered opinion that a typographical error has occurred while recording the order imposing penalty of dismissal as 31.03.2022 instead of 31.03.2023.

Mr. B. Deuri, learned counsel for the opposite parties has also no objection.

Accordingly, the paragraph-14 of the order dated 20.03.2024 passed in WP(C)/2264/2023 is accordingly modified and the same should read as under:

“14. Accordingly, the second enquiry report is set aside and quashed. Consequently, the order dated 31.03.2023 by which the petitioner was imposed the penalty of dismissal

from service on the basis of the second inquiry report is also set aside and quashed. The matter is remanded to the Disciplinary Authority to take a final call on the first enquiry report submitted by the Enquiry Officer on 31.03.2022 and pass appropriate orders in accordance with law as expeditiously as possible but not later than 3 (three) months from the date of receipt of a copy of this Court's order."

I.A. is accordingly disposed of.

JUDGE

Comparing Assistant