

GAHC010110652024



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

Case No. : PIL/33/2024

SANJIB TAMULI
SON OF SRI JUGESWAR TAMULI,
VILLAGE- TANGANAPORA AHOM GAON,
P.O.- JAMUGURI PANCHALI,
P.S.- DHEMAJI, DISTRICT- DHEMAJI,
ASSAM, PIN- 787057.

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF
ASSAM,
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT,
DISPUR, GUWAHATI- 781006.

2:THE COMMISSIONER OF PANCHAYAT AND RURAL DEVELOPMENT
ASSAM
JURIPAR
PANJABARI
GUWAHATI
GUWAHATI- 781022.

3:THE SUPERINTENDENT OF POLICE
DIRECTORATE OF VIGILANCE AND ANTI CORRUPTION
SRIMANTAPUR
CHILARAI NAGAR
GUWAHATI- 781007.

4:THE DISTRICT COMMISSIONER
DHEMAJI
DHEMAJI
ASSAM
PIN- 787057.

5:THE BLOCK DEVELOPMENT OFFICER
SISSIBORGAON DEVELOPMENT BLOCK
DHEMAJI
PIN- 787057.

6:THE CHIEF EXECUTIVE OFFICER
DHEMAJI ZILA PARISHAD
DHEMAJI
PIN- 787057.

7:THE EXECUTIVE ENGINEER
DHEMAJI ZILA PARISHAD
DHEMAJI
PIN- 787057

For the Petitioner(s) : Mr. A. Deka, Advocate.

For the Respondent(s) : Mr. S.Dutta, SC, P & RD Department.
Ms. S. Konwar, Jr. Govt. Advocate.

- Before -

HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI

HON'BLE MR. JUSTICE KARDAK ETE

Date :- 22.07.2024.

(Vijay Bishnoi, CJ)

This PIL petition is filed on behalf of the petitioner with the prayer to issue a direction to the respondent authorities to take appropriate action as per the enquiry report, submitted before the Deputy Commissioner, Dhemaji on 25.08.2022, with regard to the irregularities committed in implementing the MGNREGA Scheme under the Sissiborgaon Development Block, Dhemaji during the year 2020-2021.

Learned counsel appearing for the State, on instruction has submitted that pursuant to the enquiry report submitted before the Deputy Commissioner, Dhemaaji on 25.08.2022, disciplinary proceedings have already been initiated against the erring Officers. It is contended that those disciplinary proceedings are going on and on completion of the formalities and the procedure, the departmental authorities will pass a decision in the departmental proceedings.

In view of the above, when the department has already taken cognizance of the matter and initiated disciplinary proceedings against the erring Officers, we are of the view that no further order is required to be passed in this PIL petition.

Hence, the same is disposed of.

However the petitioner is free to avail appropriate remedy under appropriate provision under the law.

JUDGE

CHIEF JUSTICE

Comparing Assistant