

GAHC010117782024



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

Case No. : WP(C)/3061/2024

KAJAL CHANDRA DAS
S/O- LATE DOYAMY CH. DAS,
R/O- DAS COLONEY, NEAR KRISHNA KAUSHIK PLAZA,
P.O. AND P.S. SILCHAR,
DISTRICT- CACHAR,
ASSAM, PIN- 788005,
(M)- 6000838142

VERSUS

1.THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY,
HOME AFFAIRS DEPARTMENT,
GOVT. OF ASSAM,
DISPUR, GUWAHATI-6

2:THE DIRECTOR GENERAL OF POLICE ASSAM
ULUBARI GUWAHATI-7

3:THE ADDITIONAL GENERAL OF POLICE (COMMUNICATION) ASSAM
ULUBARI GUWAHATI-7

4:THE SUPERINTENDENT OF POLICE CACHAR
SILCHAR DISTRICT- CACHAR ASSAM
PIN- 788001

5:THE INSPECTOR OF POLICE (T) CACHAR
SILCHAR DISTRICT- CACHAR ASSAM PIN- 78800

Advocate for the Petitioner : MRS. R RONGMEI

Advocate for the Respondent : GA, ASSAM

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

ORDER

Date : 14-06-2024

Heard Ms. R. Rongmei, learned counsel for the petitioner as well as Ms. M. Bhattacharjee, learned Additional Senior Government Advocate, Assam appearing for the respondents.

Aggrieved by the non-payment of leave salary for a period of 457 days from 29.07.2019 to 27.10.2020, the present writ petition has been filed under Article 226 of the Constitution of India.

On a perusal of the documents appended to the writ petition, it is noted from Annexure-6 to the writ petition, which is a representation, dated 09.11.2022, served on the respondents by the petitioner, wherein the petitioner has referred about disciplinary proceedings drawn upon against him for unauthorized leave.

It is noticed that in the writ petition, the petitioner has not made any statement regarding the drawing of departmental proceedings and the result of the said departmental proceedings.

Therefore, non-disbursement of leave salary to the petitioner is assumed to be a subject matter of the departmental proceedings. Accordingly, on the ground of non-disclosure of the material fact, this Court is not inclined to entertain the present writ petition.

Hence, the present writ petition stands dismissed.

JUDGE

Comparing Assistant