

GAHC010118472018



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

Case No. : WP(C)/3716/2018

SAMAD ALI
S/O. LT. MINNAT ALI, VILL. BOTABARI, P.S. DOLGAON, SUB-DIVISION
MANGALDAI, DIST. DARRANG, ASSAM.

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REP. BY THE SECRETARY TO THE GOVT. OF ASSAM, IRRIGATION DEPTT.,
DISPUR, GUWAHATI

2:THE SECRETARY
TO THE GOVT. OF ASSAM
DEPTT. OF FINANCE
DISPUR
GHY.

3:THE CHIEF ENGINEER.
IRRIGATION
ASSAM
CHANDMARI
GUWAHATI

4:THE SUPERINTENDING ENGINEER

MANGALDAI CIRCLE (IRRIGATION)
MANGALDAI

5:THE ASSTT. EXECUTIVE ENGINEER

MANGALDAI SUB-DIVISION (IRRIGATION)
MANGALDAI FOR INFORMATION.

6:THE DISTRICT MAGISTRATE
DARRANG DISTRICT
ASSAM

Advocate for the Petitioner : MR M J QUADIR

Advocate for the Respondent : DR. B AHMED

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 29.07.2024

On 11.03.2022 when this matter was taken up for consideration, Mr. N. Upadhyay, learned counsel appearing for the Irrigation Department had produced a communication dated 03.02.2022, wherein, the petitioner was stated to have admitted the date of birth as now reckoned by the respondent authorities for the purpose of determining his date of superannuation.

Today, Ms. A. Talukdar, learned Junior Govt. Advocate for the respondent has placed on record a communication dated 21.03.2022 received from the Additional Deputy Commissioner, Darrang, Mangaldai, wherein a communication dated 02.03.2022 of the Superintending Engineer, Mangaldai Circle (Irrigation) Mangaldai has been enclosed wherein, it was stated that the petitioner herein had filed an affidavit to the effect that he would not further pursue with the present proceedings and that he has accepted the date of his superannuation i.e. 31.12.2018.

The said material is brought on record by the respondent authority and not being disputed by the petitioner herein, basing on the said premises, this writ petition is closed on account of non-prosecution of the same by the petitioner herein.

Accordingly, the writ petition stands dismissed for non-prosecution.

A copy of the communication dated 21.03.2022 as furnished by Mrs. A. Talukdar, learned counsel is kept on record and marked as Annexure "X" for identification.

JUDGE

Comparing Assistant