

GAHC010120442024



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

Case No. : WP(C)/3152/2024

SANJAY KUMAR DAS
S/O- LATE SIBA NATH DAS, R/O- CHANDANPUR, WARD NO. 8, BARPETA
ROAD TOWN, P.O. BARPETA ROAD, P.S. BARPETA ROAD, DIST. BARPETA,
ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF
ASSAM, WATER RESOURCES DEPARTMENT, DISPUR, GUWAHATI-781006.

2:THE SECRETARY TO THE GOVT. OF ASSAM
WATER RESOURCES DEPARTMENT
DISPUR
GUWAHATI-781006.

3:THE CHIEF ENGINEER
WATER RESOURCES DEPARTMENT
BASISTHA GUWAHATI-781029
DIST. KAMRUP(M)
ASSAM

4:THE SUPERINTENDING ENGINEER
LOWER ASSAM CIRCLE
WATER RESOURCES DEPARTMENT
CHANDMARI
GUWAHATI-781003
DIST. KAMRUP(M)
ASSAM

5:THE EXECUTIVE ENGINEER
BONGAIGAON WATER RESOURCES DIVISION

WATER RESOURCES DEPARTMENT
BORPARA
BONGAIGAON
ASSAM
PIN- 783380

Advocate for the Petitioner : MR. J I BORBHUIYA

Advocate for the Respondent : SC, WATER RESOURCE

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 26-06-2024

Mr. J.I. Borbhuiya, learned counsel for the petitioner has submitted that during the pendency of this writ petition, there has been a subsequent development. It is submitted that during the pendency of the writ petition, the Appellate authority has issued a communication dated 01.06.2024 to inform the petitioner that the appeal filed against the order passed by the Disciplinary authority was not entertained.

2. The learned counsel for the petitioner has submitted that the said letter was not communicated to the petitioner but he has come to know about it only when a copy of the said communication was produced before this Court by the standing counsel for the Water Resource Department.

3. Accordingly, it is submitted that the petitioner may be given liberty to withdraw this writ petition and to challenge the orders passed in the departmental proceeding as well as non-entertaining of the petitioner's appeal.

4. Prayer is allowed.

5. Heard Mr. R.M. Das, learned standing counsel for the Water Resource Department.

6. Pursuant to order dated 21.06.2024, Harmoti Mondal, Law Officer, Water Resources Department is present. She expresses regret for inadvertently failing to provide a copy of the relevant communication to their learned standing counsel. The Law Officer of the Water Resource Department must be careful while providing instructions to their learned counsel. Her personal appearance is dispensed with.

7. This writ petition stands closed with liberty to the petitioner as prayed for.

JUDGE

Comparing Assistant