

GAHC010162652021



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

Case No. : WA/297/2021

UJJWAL KANTI PANDIT
S/O- DIGENDRA CHANDRA PANDIT, PLANNING OFFICER, TEA BOARD OF
INDIA, HOUSEFED COMPLEX, 5TH AND 6TH FLOOR, CENTRAL BLOCK,
BELTOLA-BASISTHA ROAD, DISPUR, GUWAHATI-781006, ASSAM

VERSUS

THE UNION OF INDIA AND 5 ORS.
THROUGH THE SECRETARY TO THE MINISTRY OF COMMERCE AND
INDUSTRY, UDYOG BHAWAN, NEW DELHI-110011.

2:TEA BOARD OF INDIA
THROUGH ITS SECRETARY
14 BTM SARANI
KOLKATA-700001.

3:THE CHAIRMAN
TEA BOARD OF INDIA
14 BTM SARANI
KOLKATA-700001.

4:THE DEPUTY CHAIRMAN
TEA BOARD OF INDIA
14 BTM SARANI
KOLKATA-700001.

5:THE SECRETARY TEA BOARD OF INDIA
14 BTM SARANI
KOLKATA-700001.

6:THE ASSISTANT SECRETARY
TEA BOARD OF INDIA

14 BTM SARANI
KOLKATA-700001

For the petitioner/appellant(s) : Mr. G.N. Sahewalla, Sr. Advocate
Mr. H. K. Sarma, Advocate

For respondent(s) : Mr. S. C. Keyal, Advocate

– **BEFORE** –

HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE SUMAN SHYAM

16.08.2024

(Vijay Bishnoi, CJ)

Mr. G. N. Sahewalla, learned senior counsel appearing for the appellant has submitted that the appellant, who is serving as a Supply Officer (re-designated as Planning Officer) with the Tea Board of India, had filed the writ petition [WP(C) No. 3143/2018] raising grievance before the learned Single Judge that one officer, namely, Sri P.K. Das, who was much junior to the appellant, had been assigned the duties and responsibilities of the post of Assistant Secretary of Tea Board, which is a higher post. The writ petition was dismissed by the writ court by giving liberty to the appellant to assail the letter dated 22.02.2017 as well as the O.M. dated 12.04.2017, and also to claim promotion once the bar created by the said letter and O.M. is removed.

It is submitted that after the decision of the learned Single Judge in the said writ petition, the respondent authorities have assigned the duties and responsibilities of the post of Assistant Secretary to officers who are much junior to the appellant.

After arguing the matter for quite some time, learned counsel for the appellant has submitted that he may be allowed to withdraw this writ appeal with liberty to move appropriate representation before the respondent authorities with a prayer to assign

him the duties and responsibilities of Assistant Secretary in place of an officer who is junior to him.

Mr. S. C. Keyal, learned counsel appearing for the respondents has submitted that if any such representation is filed by the appellant, the same shall be considered by the respondents objectively.

In view of the above, this appeal is dismissed as withdrawn with liberty to the appellant to move appropriate representation ventilating his grievances. It is expected if such representation is filed, the same shall be considered by the respondents objectively and will be disposed of expeditiously, preferably within a period of two months from the date of filing of the representation.

JUDGE

CHIEF JUSTICE

Comparing Assistant