

GAHC010175902015



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

Case No. : WP(C)/2086/2015

SURESH CH. BARUAH
S/O LT. SREEDHAR BARUAH, R/O WEST MILAN NAGAR, P.O. C.R.
BUILDING, P.S. and DIST- DIBRUGARH, ASSAM, PRESENTLY POSTED AS
R/O GEOLOGIST, O/O DIRECTORATE OF GEOLOGY AND MINING,
DIBRUGARH

VERSUS

THE STATE OF ASSAM and 8 ORS,
REP. BY THE ADDL. CHIEF SECY. TO THE GOVT. OF ASSAM, MINES and
MINERALS DEPTT., DISPUR, GHY-6

2:THE PRINCIPAL SECY. TO THE GOVT. OF ASSAM
MINES and MINERALS DEPTT.
DISPUR
GHY-6

3:THE DEPTT. PROMOTION COMMITTEE
MINES and MINERALS DEPTT.
DISPUR
GHY-6

4:THE DEPARTMENTAL PROMOTION COMMITTEE
MINES and MINERAL DEPTT.
DISPUR
GHY-6
REP. BY ITS CHAIRMAN I.E. THE PRINCIPAL SECY.
MINES and MINERAL DEPTT.
DISPUR
GHY-6

5:THE DIRECTOR OF GEOLOGY AND MINING
KAHILIPARA
GHY-19

6:LUHIT CH. BEZBARUA
PRESENTLY THE DIRECTOR OF GEOLOGY AND MINING
KAHILIPARA
GHY-19

7:JAYASHREE BORAH
W/O SRI PRASANTA KR. PHUKAN
BAGHORBORI
LEFT BY LANE FROM HOMOEOPATHIC COLLEGE
P.O. PANJABARI
GHY-37
DIST- KAMRUP METRO

8:ARPAN DUTTA @ TUNI RAM DUTTA
BHAGADUTTAPUR
BIRINA PATH
KAHILIPARA
GHY-19
DIST- KAMRUP METRO
ASSAM

9:DWIPEN BHARALI
O/O THE DIRECTOR OF GEOLOGY AND MINING KAHILIPARA
GHY-19

10:TULIKA KUMARI DAS
GEOLOGIST
O/O THE DIRECTOR OF GEOLOGY AND MINING KAHILIPARA
GHY-1

Advocate for the Petitioner : MR.D HANDIQUE

Advocate for the Respondent : MR.P KHATANIARR-6, 7 and 8

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 25-07-2024

None appears for the petitioner on call. Ms. M. Bhattacharjee, learned Addl. Sr. Govt. Advocate, Assam appears for the State respondents.

The petitioner has filed this Writ Petition on 31.03.2015, challenging the promotion of the private respondents and for a direction for consider his case for promotion to the post of Deputy Director/Senior Geologist from the date on which the post of Deputy Director/Senior Geologist has fallen vacant, giving retrospective effect.

It is noticed from the order dated 28.08.2015, the petitioner was due to retire on 31.08.2015 and prays for settlement of the pensionary benefit, as the petitioner had apprehended that due to the pendency of the present Writ Petition, the same may not be settled.

Accordingly, in the light of apprehension expressed, this Court had clarified that the State respondent shall settle the pensionary claim of the petitioner along with other terminal dues on retirement of the petitioner. The petitioner has already retired from the service by now.

It is also noticed that while this Writ Petition was pending, the petitioner had filed an interlocutory application i.e. I.A. (Civil) No.5/2016, for early hearing of the Writ Petition, which was allowed.

However, when the matter is listed today, none appears for the petitioner.

Having considered the above, the Writ Petition stands dismissed for non-prosecution.

JUDGE

Comparing Assistant