

GAHC010194812023



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

Case No. : WP(C)/5137/2023

NARAYAN SARMA
S/O- LATE DIBAKAR SARMA, R/O- VILL.- BAR SADERI, P.O. BHOTANTA
SADERIE, P.S. PATACHARKUCHI, DIST.- BARPETA, ASSAM, PIN- 781325

VERSUS

THE STATE OF ASSAM AND 4 ORS
TO BE REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, EDUCATION ELEMENTARY, DEPARTMENT,
DISPUR, GUWAHATI-06

2:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19

3:THE ADDITIONAL DEPUTY COMMISSIONER (EDUCATION)
BARPETA
DIST.- BARPETA
ASSAM

4:THE DEPUTY INSPECTOR OF SCHOOLS
BAJALI
PATHSALA
DIST.- BARPETA
ASSAM

5:THE BLOCK ELEMENTARY EDUCATION OFFICER
BAJALI
PATHSALA
DIST.- BARPETA
ASSA

Advocate for the Petitioner : MR H TALUKDAR

Advocate for the Respondent : GA, ASSAM

BEFORE
HON'BLE MR. JUSTICE LANUSUNGKUM JAMIR

31.05.2024

O R D E R

Heard Mr. K.D. Sharma, learned counsel for the petitioner. Also heard Ms. D.D. Barman, learned Additional Senior Government Advocate, Assam, for respondent No.3.

The petitioner, while serving as Headmaster of 5 No. Barsidhani MV School under Bajali Education Block of Barpeta district, was placed under suspension due to his involvement in some illegal activities by an order dated 28.03.2023 issued by the Director of Elementary Education, Assam.

By the said order, the petitioner was allowed to draw admissible subsistence allowance during the period of his suspension. The petitioner made a representation, dated 12.07.2023, before the Director of Elementary Education, Assam to withdraw the order, dated 28.03.2023 by which the petitioner was placed under suspension and to reinstate him back in service.

The case of the petitioner is that the respondent-authorities in the Directorate of Elementary Education, Assam, have not issued any show-cause notice nor initiated any Disciplinary Proceeding against the petitioner.

The present writ petition is filed praying for a direction to set aside and quash the suspension order, dated 28.03.2023.

Today when the matter is called up, Mr. A. Phukan, learned Standing Counsel, Elementary Education Department, Government of Assam, has produced an order dated 01.05.2024 issued by the Director of Elementary Education, Assam, by which the petitioner has been reinstated as Assistant Teacher till finalization of Disciplinary Proceeding in his original place with immediate effect.

Considering the order, dated 01.05.2024, by which the petitioner has been reinstated as Assistant Teacher till finalization of the Disciplinary Proceeding, this Court is of the considered opinion that nothing survives in the present writ petition.

Accordingly, this writ petition is closed.

The order, dated 01.05.2024, is placed on record.

JUDGE

Comparing Assistant