

GAHC010202912024



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

Case No. : WP(C)/5087/2024

BHASKAR JYOTI NATH
SON OF ANANDA NATH,
RESIDENT OF VILL- MERUWABARI,
P.O.- JAIKAIBOWA, DIST.- MAJULI, ASSAM.

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY,
GOVT. OF ASSAM, HOME DEPARTMENT,
DISPUR, GUWAHATI- 781006.

2:THE DIRECTOR GENERAL OF POLICE
ASSAM POLICE
ASSAM POLICE HEAD QUARTERS

ULUBARI
GUWAHATI
ASSAM- 781007.

3:THE DEPUTY INSPECTOR GENERAL OF POLICE (ADMIN)
ASSAM
GUWAHATI
ASSAM POLICE HEAD QUARTER

ULUBARI
GUWAHATI
ASSAM- 781007.

4:SUPERINTENDENT OF POLICE
DHUBRI
DHUBRI

Advocate for the Petitioner : MR. B CHAKRABORTY, MS. RIA TIWARI, MRS P HAZARIKA

Advocate for the Respondent : GA, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO**

ORDER

13.12.2024

Heard Mr. B. Chakraborty, learned counsel for the petitioner and Mr. C.K.S. Baruah, learned Govt. Advocate appearing for the State respondents. Having regard to the nature of case projected by the petitioner, the writ petition is taken up for disposal at this stage.

[2.] The case of the petitioner is that he should be considered for Adhoc promotion to the next higher post of Inspector of Police as more than two (2) years has lapsed since the holding of the last DPC i.e., 10.10.2021. Support in this regard is taken on the case of *Union of India –Vs- K.V. Jankiraman (1991) 4 SCC 109*, and also, the Office Memorandum dated 14.09.1992, issued by the Govt. of India, Ministry of Personnel, Public Grievances and Pensions, Department of Personnel & Training. According to the petitioner, he had submitted a representation before the Director General of Police through proper channel on 03.07.2024 and therefore, the limited prayer made is that the said representation be considered in accordance with law and disposed of within a time frame by way of a speaking order.

[3.] Mr. C.K.S. Baruah, learned Govt. Advocate submits that as per instructions by him, the representation has been forwarded by the Superintendent of Police, Dhubri to the Inspector of Police (Administration), issued vide letter dated 11.07.2024.

[4.] Considering the above position, this writ petition is disposed of with a direction to the Director General of Police, Assam (respondent No. 2) to consider the representation submitted by the petitioner on 03.07.2024 in accordance with law within a period of four (4) weeks from the date of receipt of a certified copy of this Order by passing a reasoned and speaking order. The order to be passed shall be communicated to the petitioner without any delay. The petitioner shall also submit a copy of the writ petition along with a certified copy of this Order to the respondent No. 2.

JUDGE

Comparing Assistant