

GAHC010219072021



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

Case No. : WP(C)/7104/2021

EYAMIN KHAN
S/O SUKUR KHAN
RESIDENT OF VILLAGE TARABARI, PO BAHARIHAT, PS TARABARI, DIST
BARPETA, ASSAM 781301

VERSUS

THE STATE OF ASSAM AND 4 ORS
TO BE REPRESENTED BY THE CHIEF SECRETARY, DISPUR GUWAHATI
781006

2:THE COMMISSIONER

LOWER ASSAM DIVISION
PANBAZAR
GUWAHATI

3:THE DIRECTOR OF LAND RECORDS AND SURVEYS ETC..
ASSAM
RUPNAGAR
GUWAHATI 781032

4:THE DEPUTY COMMISSIONER

BARPETA
ASSAM 781314

5:THE CIRCLE OFFICER

CHENGAR REVENUE CIRCLE
BARPETA
ASSAM 78130

Advocate for the Petitioner : MS. T SOM, MR. P TELI

Advocate for the Respondent : GA, ASSAM, SC, REVENUE, MR R DHAR (R-1 to 5)

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 23/10/2024

Ms. T. Som, learned counsel for the petitioner submits that in this writ petition, the order placing the petitioner under suspension has been put under challenge. However, during the pendency of this writ petition, the petitioner has been dismissed from service and the order of dismissal has been assailed in WP(C) 4930/2024, pending before this Court.

If that be so, this writ petition has apparently become infructuous.

Similar is the submission of Mr. C.K.S. Baruah, learned Government Advocate, Assam.

At this stage, Ms. Som submits that the affidavit filed in the present writ petition may be relevant for the purpose of adjudicating the issues raised in WP(C) 4930/2024. Even if the said submission is accepted, even then, it would be open for the petitioner to bring those pleadings in the record of WP(C) 4930/2024 by taking appropriate steps but the same cannot be ground to keep an infructuous writ petition pending before this Court.

Thus, by granting liberty to the petitioner, as above, this writ petition stands closed as infructuous.

JUDGE

sukhamay

Comparing Assistant