

GAHC010237542024



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

Case No. : WP(C)/5864/2024

NITUL CHANDRA DAS
S/O- LATE PHATIK DAS ,
R/O- VILLAGE AND P.O- BORLIBARI, DIST- NALBARI, ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE SECRETARY TO THE GOVT OF ASSAM, REVENUE
AND DISASTER MANAGEMENT DEPARTMENT,
DISPUR, ASSAM SECRETARIAT,
P.O-ASSAM SACHIVALAYA, GUWAHATI-781006

2:THE DISTRICT REGISTRAR
O/O THE SR. SUB REGISTRAR
KAMRUP (M)
GUWAHATI-3

Advocate for the Petitioner : MR. P K ROYCHOUDHURY, MR M HUSSAIN,MR. N G
KUNDU,MR. A K AZAD,MR. N HAQUE

Advocate for the Respondent : SC, REVENUE, GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO

ORDER

Date : 13-11-2024

Heard Mr. P.K. Roychoudhury, learned counsel for the petitioner and

Mr. S. Dutta, learned counsel appearing for the respondent no. 1 and Ms. M. Bhattacharjee, learned Additional Senior Government Advocate appearing for respondent no. 2.

2. Having regard to the nature of the case projected by the petitioner, the writ petition is taken for disposal at the motion stage.

3. By filing this writ petition the projection made by the petitioner is that he has illegally and arbitrarily being dismissed from service vide the impugned order dated 18.10.2024 (Annexure-F). Being highly aggrieved, the petitioner preferred an appeal under Rule 13 of the Assam Services (Discipline & Appeal) Rules, 1964 before the Secretary to the Govt. of Assam, Revenue & Disaster Management Department. However, the same has not been considered and disposed of till date.

4. Mr. P.K. Roychoudhury, learned counsel submits that the limited prayer of the writ petitioner at this stage is for a direction to the appellate authority to consider the appeal filed by the petitioner and to dispose of the same within a time frame.

5. The learned counsel appearing for the respondents have no objection if the writ petition is disposed of for consideration by the appellate authority.

6. Accordingly, the writ petition is disposed of with a direction to respondent no. 1 to consider the appeal filed by the petitioner on 28.10.2024 (Annexure-G) in terms of Rule 24 of the Assam Services (Discipline & Appeal) Rules, 1964 by way of a Speaking Order which should be invariably communicated to the petitioner.

JUDGE

Comparing Assistant