

GAHC010254772023



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

Case No. : WP(C)/6513/2023

KALPANA MAZUMDAR
W/O LATE PURANDAR DEKA, R/O NEAR KAILASH MANDIR, 2 NO
KHARGHULI, BONDA, NARENGI, GUWAHATI-781026

VERSUS

THE ASSAM KHADI AND VILLAGE INDUSTRIES BOARD AND 6 ORS
REPRESENTED BY ITS CHAIRMAN, CHANDMARI, KAMRUP (M), ASSAM,
PIN-781003

2:THE CHIEF EXECUTIVE OFFICER
ASSAM KHADI AND VILLAGE INDUSTRIES BOARD
CHANDMARI
KAMRUP (M)
ASSAM
PIN-781003

3:THE REGISTRAR
ASSAM KHADI AND VILLAGE INDUSTRIES BOARD
CHANDMARI
GUWAHATI-781003

4:THE DISTRICT OFFICER AND IN CHARGE MARKETING
ASSAM KHADI AND VILLAGE INDUSTRIES BOARD
GUWAHATI
ASSAM
PIN-781003

5:THE SUPERINTENDENT CUM IN CHARGE ESTABLISHMENT BRANCH
ASSAM KHADI AND VILLAGE INDUSTRIES BOARD
GUWAHATI
ASSAM

PIN-781003

6: BABUL LEKAHRU
ACS
THE CHIEF EXECUTIVE OFFICER
ASSAM KHADI AND VILLAGE INDUSTRIES BOARD
GUWAHATI-781003

7: HEM KANTA MEDHI
ENQUIRY OFFICER
ASSAM KHADI AND VILLAGE INDUSTRIES BOARD
GUWAHATI-78100

Advocate for the Petitioner : MR. R MAZUMDAR

Advocate for the Respondent :

**BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA**

ORDER

Date : 08.05.2024

Heard Mr. R. Mazumdar, learned counsel for the petitioner. Also heard Mr. P.K. Munir, learned standing counsel for the respondents.

2. At the outset, the learned standing counsel for the respondents has produced a copy of office order bearing no. KB(L) 367/2023-24/116, dated 06.05.2024, issued by the Chief Executive Officer, Assam Khadi & Village Industries Board, by which, in supersession of the earlier office order dated 04.04.2024, the dismissal order issued to the petitioner Smti. Kalpana Mazumdar, UDA (under suspension) of the Assam Khadi & Village Industries Board vide order dated 08.12.2023 has been withdrawn to start the department proceeding afresh.

3. The learned standing counsel for the respondents has submitted that as per instructions received by him, the respondents intend to proceed with the

departmental proceeding/enquiry proceeding by issuing a fresh show-cause notice and they propose not to act on the show-cause notice dated 03.08.2023.

4. The learned counsel for the petitioner submits that by filing WP(C) 19/2024, the petitioner has challenged the show-cause notice issued to her in connection with the enquiry proceedings initiated against her. He submits that as there is no clarity in the office order dated 06.05.2024 as to whether the departmental proceeding will proceed afresh from the stage of the previous show-cause notice, he submits that the closure of this writ petition would not have any adverse affect against the petitioner in the said writ petition.

5. In view of the subsequent development arising out of office order dated 06.05.2024 referred above, this proceeding is closed, however, with a direction that the arrear subsistence allowance and/or arrear salary whatever is due to the petitioner shall be released to her within a period of 3 (three) months. Moreover, the withdrawal of this writ petition shall not cause any prejudice to the petitioner in the proceedings of WP(C) 19/2024.

6. The office order produced by the learned standing counsel for the respondents is kept as a part of record.

7. Accordingly, the matter stands closed in view of subsequent development.

JUDGE

Comparing Assistant