

GAHC010257622018



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

**Case No. : WP(C)/8153/2018**

RABIRAM BHUYAN  
S/O LATE LEKHAI BHUYAN  
VILL- MISAPANI GAON,  
P.O.MISA  
DIST. NAGAON,  
PIN - 782138

VERSUS

THE STATE OF ASSAM AND 2 ORS.  
REP. BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM,  
HOME DEPARTMENT,DISPUR, GUWAHATI-781006.

2:THE DIRECTOR GENERAL OF POLICE

ULUBARI  
GUWAHATI.

3:THE COMMANDANT

7TH A.P. BN CHARAIKHOLA  
KOKRAJHAR

**Advocate for the Petitioner : MR. A CHAUDHURY**

**Advocate for the Respondent : GA, ASSAM**

**BEFORE  
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY**

**ORDER**

**28.02.2024.**

Heard Mr. A. Choudhury, learned counsel for the petitioner. Also heard Mr. A. Chakraborty, learned Government Advocate for the respondents.

By way of the present writ petition, a challenge was made to an order dated 26.09.2014, issued by the Commandant 7<sup>th</sup> AP Battalion Choraikhola, Kokrajhar, whereby the petitioner was dismissed from service on being convicted in a criminal case and in exercise of power under Article 311 of the Constitution of India and Rule 10 of the Assam Services (Discipline & Appeal) Rules, 1964.

Thereafter, the petitioner preferred an appeal assailing the conviction being Criminal Appeal No. 295/2014. Such criminal appeal was allowed by the learned Appellate Court under its Judgment and Order dated 18.07.2018.

With the aforesaid backdrop, the petitioner had preferred this writ petition assailing the aforesaid order of dismissal dated 26.09.2014.

During the pendency of this writ petition, by an order dated 19.12.2018, the order of dismissal dated 26.09.2018, was recalled in view of the acquittal of the

petitioner by the learned Appellate Court.

After passing of the order dated 19.12.2018, the petitioner has preferred a writ petition being WP(C) No. 4575/2020 claiming back wages

In view of the aforesaid, nothing survives to be adjudicated in the present writ petition. Accordingly, this writ petition stands closed being infructuous.

**JUDGE**

**Comparing Assistant**