

GAHC010258182023



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

Case No. : WP(C)/6679/2023

DR. HALIM REZA
S/O DR MOHAMMED MASOOM R/O VILL. MAZUMDER BAZAR P.O.
TARAPUR PART III DIST. CACHAR ASSAM

VERSUS

THE STATE OF ASSAM AND 2 ORS
REP BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
MEDICAL EDUCATION AND RESEARCH DEPTT DISPUR GUWAHATI 6

2:THE DIRECTOR OF MEDICAL EDUCATION ASSAM
KHANAPARA GUWAHATI 22

3:THE PRINCIPAL CUM CHIEF SUPERINTENDENT
GAUHATI MEDICAL COLLEGE AND HOSPITAL BANGAGARH GUWAHATI

Advocate for the Petitioner : MR. N H LASKAR

Advocate for the Respondent : SC, HEALTH

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

24.01.2024

Heard Mr. H.R.A. Choudhury, learned Sr. counsel assisted by Mr. N.H. Laskar, learned counsel for the petitioner. Also heard Mr. A. Chaliha, learned Standing counsel, Health.

In terms of the earlier orders passed by this Court, Mr. Chaliha has placed before the Court a communication dated 18.01.2024 whereby the suspension of the petitioner has been revoked and he was transferred and posted as Registrar, Department of Paediatrics, Fakhruddin Ali Ahmed Medical College & Hospital, Barpeta against the vacant post and released from his current place of posting namely, Registrar, Department of Paediatrics, Gauhati Medical College & Hospital. Mr. Chalhia further submits that the subsistence allowance of one month claimed by the petitioner is also under consideration and likely to be released very shortly.

The learned Sr. Counsel for the petitioner submits that in view of the communication dated 18.01.2024 passed by the competent authority revoking his pension, the prayer left is for release of his subsistence allowance.

In view of the submissions made by the learned counsel for the parties and in view of the communication dated 18.01.2024 passed by the Department of Medical Education & Research, Government of Assam revoking the suspension of the petitioner, there is no further cause in respect of his prayer for revocation of the suspension is left to be decided. This Court is therefore of the view that the writ petition can be closed with a direction to the respondent authorities to verify into the claims of the petitioner's non-payment of subsistence allowance

and if found to be correct, the same should be released within a period of thirty (30) days from the date of receipt of certified copy of this order.

With the above observations, the writ petition stands disposed of.

Copy of the communication dated 18.01.2024 is kept on record.

JUDGE

Comparing Assistant