

GAHC010281672023



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

Case No. : Review.Pet./19/2024

RAJIB DEWRI
S/O LATE SARAFUL DEWRI, R/O VILL. NA DALAIBORI, P.O.
CHABUKDHARA, DIST.- MORIGAON, ASSAM, PIN- 782103.

VERSUS

THE STATE OF ASSAM AND 2 ORS. B
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, DEPTT. OF HOME , DISPUR, GUWAHATI- 781006.

2:THE DEPUTY INSPECTOR GENERAL OF POLICE
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
DEPTT. OF HOME
DISPUR
GUWAHATI- 781006.

3:THE SUPERINTENDENT OF POLICE
MORIGAON
P.O. AND DIST.- MORIGAON
ASSAM
PIN- 782105

Advocate for the Petitioner : MR H K DAS

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 26/02/2024

Vijay Bishnoi, CJ

Heard Mr. H.K. Das, learned counsel for the review petitioner. We have also heard Ms. R.B. Bora, learned Government Advocate, Assam, appearing for the respondents.

This review application is filed seeking review of the judgement dated 24/11/2017 passed by the Division Bench of this Court in Writ Appeal No. 324/2017.

Vide judgement dated 24/11/2017, the Division Bench of this Court has dismissed the writ appeal filed by the applicant being aggrieved with the judgement dated 01/06/2017 passed by the learned Single Judge in WP(C) No. 3055/2011 whereby, the punishment imposed in the departmental proceeding against the review petitioner of removal from service has been upheld.

Learned counsel for the review petitioner has submitted that the Division Bench has not taken into consideration the fact that the punishment imposed upon the review petitioner in the departmental proceeding is disproportionate to the charges proved.

It is to be noticed that no such argument was advanced before the Division Bench at the time of hearing of the writ appeal. Otherwise also, having heard the learned counsel for the review petitioner and after going through the materials available on record, we are of the view that there was no error apparent on the face of the record in the impugned judgement.

Taking into consideration the fact that the scope of review is very limited, we are of the opinion that there is no force in the review petition. The same is, therefore, dismissed.

JUDGE

CHIEF JUSTICE

sukhamay

Comparing Assistant