

GAHC010286422023



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

Case No. : WP(C)/7407/2023

MADHUSUDHAN DASGUPTA
SON OF LATE NIPENDRA DASGUPTA,
R/O- PANIGAON ANANDA NAGAR,
P.O.- ITACHALI, P.S.- SADAR,
PIN- 782005,
DIST.- NAGAON, ASSAM.

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM,
EDUCATION (ELEMENTARY) DEPARTMENT,
DISPUR, GUWAHATI- 781006.

2:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI- 781019.

3:THE DISTRICT ELEMENTARY EDUCATION OFFICER
NAGAON
PIN- 782003
ASSAM

Advocate for the Petitioner : MS D BORGOHAIN, MS. M SARMAH, MS. K BARUAH, MR. P GOHAIN

Advocate for the Respondent : SC, ELEM. EDU,

BEFORE
HON'BLE MR. JUSTICE LANUSUNGKUM JAMIR
ORDER

02.09.2024

Heard Ms. D. Borgohain, learned counsel for the petitioner. Also heard Ms. S. Chutia, learned Standing Counsel, Elementary Education Department, Government of Assam, for all the respondents.

By this writ petition, the petitioner is challenging the order, dated 11.10.2023, issued by the Director of Elementary Education, Assam by which the petitioner was placed under suspension on the ground of gross negligence of duty, indiscipline, insincerity, lack of integrity and for maligning the image of the Department pending drawal of Disciplinary Proceeding.

Ms. Chutia, learned Standing Counsel, Elementary Education Department, Government of Assam, has produced an order, dated 30.08.2024, issued by the Director of Elementary Education, Assam by which the petitioner has been reinstated into service after concluding the Disciplinary Proceeding and posted at Anchalik M.E. School. The order further stipulates that the period of suspension of the petitioner is regularized for all purposes.

Ms. Borgohain, learned counsel for the petitioner, submits that as the petitioner has been reinstated back into service and his suspension has been regularized for all purposes, the writ petition may be closed with direction to the respondents to pay the arrear salary of the petitioner within a specific period of time.

Recording the submission made by learned counsel for the petitioner and in view of the order, dated 30.08.2024, issued by the Director of Elementary Education, Assam, this writ petition is closed. The respondents are, however, directed to release the arrear salary of the petitioner at the earliest but not later than two months from the date of receipt of a copy of the order of this Court.

The order, dated 30.08.2024, is placed on record.

JUDGE

Comparing Assistant