GAHC010106862020

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

Case No. : WP(C) 3137/2020

1:PREMO KHAKOLARY @ KHAKLARY
S/O- LT. MOLIN KHAKOLARY @ MILAN KHAKLARY, R/O- VILL- HAZARI GAON, P.O. AND P.S. BARPATHAR, DIST.- GOLAGHAT, ASSAM, PIN- 785602

VERSUS

1:THE STATE OF ASSAM AND 3 ORS.
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, DEPTT. OF POWER, DISPUR, GHY-06, ASSAM

2:THE ASSAM POWER DISTRIBUTION COMPANY LTD.
REP. BY ITS CHAIRMAN
BIJULI BHAWAN
PALTANBAZAR
GHY-01

3:ASSTT. GENERAL MANAGER
GOLAGHAT ELECTRICAL DIVISION
APDCL
GOLAGHAT
PIN- 785621

4:SUB-DIVISIONAL ENGINEER
GOLAGHAT ELECTRICAL SUB-DIVISION-1
APDCL
GOLAGHAT
PIN- 78562

Advocate for the Petitioner : MR. M DUTTA

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

17.09.2020

Heard Mr. M. Dutta, learned counsel for the writ petitioner. Also heard Ms. R. Deka, learned Standing Counsel, APDCL, who submits that the order of termination of service of the petitioner has been revoked and order of his reinstatement in service has also been passed by the authorities on 16.09.2020. Therefore, the writ petition has become infructuous.

Mr. M. Dutta submits that his client has not yet been served with any copy of the order dated 16.09.2020.

Be that as it may, if the order of termination has been revoked, then obviously the petitioner would be entitled to immediate reinstatement as well as a copy of the order of reinstatement.

Ms. Deka submits that the copy of the order would be furnished to the petitioner within three days from today.

In view of the above, the present writ petition has become infructuous. It is, however, made clear that reinstatement of the petitioner will not come in the way of the authorities in initiating fresh proceeding against him after compliance of principles of natural justice, if so advised.

With the above observation, this writ petition stands disposed of as infructuous.

JUDGE

Comparing Assistant