GAHC010232892016

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

Case No. : WP(C)/4456/2016

PRABHAT DOLEY
S/O. LT. KABIR DOLEY, R/O. DERGAON KUMAR GAON, NEAR DON BOSCO,
P.O. and P.S. DERGAON, DIST. GOLAGHAT, ASSAM.

VERSUS

THE STATE OF ASSAM and 6 ORS.
REP. BY THE COMM. and SPL. SECY. TO THE GOVT. OF ASSAM,
PANCHAYAT AND RURAL DEVELOPMENT DEPTT., DISPUR, GHY.-06.

2:THE COMMISSIONER

PANCHAYAT and RURAL DEV. DEPTT.
ASSAM
PANJABARI
JURIPAR
GHY.-37.

3:THE PROJECT DIRECTOR

DIST. RURAL DEV. AGENCY DRDA
GOLAGHAT
P.O. and DIST. GOLAGHAT
ASSAM.

4:THE CHIEF EXECUTIVE OFFICER

GOLAGHAT ZILLA PARISHAD
P.O. and DIST. GOLAGHAT
ASSAM.

5:THE BLOCK DEVELOPMENT OFFICER

GOLAGHAT WEST DEVELOPMENT BLOCK
P.O. BOKAKHAT
DIST. GOLAGHAT
ASSAM.

6:THE CIRCLE OFFICER and CIECLE RETISTRAR

CITIZEN REGISTRATION CRCR
DIST. GOLAGHAT
ASSAM.

7:SRI GOLAP BORA

GAON PANCHAYAT SECRETARY
UTTAR MAHURA GAON PANCHAYAT
GOLAGHAT
ASSAM

Advocate for the Petitioner : MR.L MOHAN

Advocate for the Respondent : GA, ASSAM

BEFORE

HONOURABLE MR. JUSTICE KALYAN RAI SURANA

08.12.2020

Heard Mr. L. Mohan, learned counsel for the petitioner and Mr. A. Roy, learned Standing Counsel for the P&RD Department.

By this writ petition filed under Article 226 of the Constitution of India, the petitioner has assailed the impugned transfer order No. GZPE.40/2012-13/PT-IV/1673 passed by the Chief Executive Officer, Golaghat Zila Parishad, Golaghat (respondent No. 4), thereby transferring the petitioner from Dusutimukh Gaon Panchayat to Uttar Mohura Gaon Panchayat. The transfer order has been assailed, amongst others, on the ground that the petitioner was put to NRC duty and therefore, he was not liable to transferred without the concurrence of the NRC authorities.

It appears that by the passage of time, the NRC duty to which the petitioner was appointed is already over and that the normal tenure of posting is also over. Accordingly, the Court is of the considered opinion that the matter has become infructuous for lapse of time.

Accordingly, this writ petition stands disposed having been rendered infructuous and the interim order dated passed on 29.07.2016 stands vacated.

JUDGE

Comparing Assistant