GAHC010098422026

2026:GAU-AS:15961-DB

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

Case No. : WP(C)/2672/2026

SMT DIPTI KEOT
WIFE OF LATE INDRA MOHAN BORA RESIDENT OF GOROIMARI,
P.O. HALESWAR, DISTRICT SONITPUR, ASSAM. PIN -784104

-VERSUS-

1: THE UNION OF INDIA AND 2 ORS. REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA MINISTRY OF DEFENCE, SOUTH BLOCK NEW DELHI-110001

2:AIR OFFICER COMMANDING 11 WING
AIR FORCE C/O. 99 APO

3:THE ENQUIRY OFFICER 11 WINGS
AIR FORCE C/O. 99 AP

For the Petitioner(s) **:** Mr. K.A. Mazumder, Advocate.
: Mr. S.A. Islam, Advocate.

For the Respondent(s) **:** Ms. B. Sarma, Central Government Counsel.

– B E F O R E –
HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI

02.11.2026
(Ashutosh Kumar, CJ)

We have heard Mr. K.A. Mazumder, learned Advocate for the petitioner and Ms. B. Sarma, learned Central Government Counsel representing all the respondents.

The petitioner was engaged in the year 1995 as a Monthly Rated Female Attendant at a salary of ₹ 500/- (Rupees Five Hundred) per month. When her services were terminated, the Central Administrative Tribunal *(hereinafter to be referred as the "Tribunal")* set aside such termination order and directed the employer to consider the case of the petitioner for permanent employment as per the Rules.

The petitioner was thereafter declared a permanent employee of the Organization in the year 2004. Many years later, she was appointed to the post of Civilian Lascar in the year 2012. This promotion was granted to the petitioner only after she had appeared in a selection process.

After the petitioner had worked for about 3(three) years, a notice was issued to her seeking explanation as to why a departmental proceeding be not initiated against her for having submitted a forged HSLC Certificate at the time of her appointment as Civilian Lascar in the year 2012.

Apart from denying the allegations in the show cause reply, the petitioner challenged the show cause as also the departmental proceeding which was initiated against her before the Tribunal vide Original Application No.040/00014/2018. Though *interim* protection was granted to the petitioner by the Tribunal to the extent that the employer was restrained from passing any order with respect to the petitioner without the leave of the Tribunal, but ultimately the original application was dismissed.

Hence, the present writ petition.

During the pendency of the writ petition, the departmental proceeding concluded holding the petitioner guilty and a punishment

order was issued. Later her services were also terminated.

Though on 22.05.2026, leave was granted to the counsel for the petitioner to challenge such later orders of the employer but since those orders were never questioned before the Tribunal in the first instance, Mr. Mazumder, learned Advocate for the petitioner agrees to the proposition that such orders of punishment and dismissal be first tested before the Tribunal.

For the aforesaid purpose, Mr. Mazumder seeks withdrawal of the present writ petition in order to enable the petitioner to challenge such orders before the Tribunal.

As prayed for, the writ petition is dismissed as withdrawn with the liberty as aforesaid.

JUDGE **CHIEF JUSTICE**

Comparing Assistant