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2026:GAU-AS:15327

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

Case No. : WP(C)/5016/2026

SMTI. SMITI DAS
WIFE OF SRI NITUL SAIKIA, RESIDENT OF HOUSE NO-13, SURUJ NAGAR, SIX MILE, PO-KHANAPARA, PS-KHANAPARA, DISTRICT-KAMRUP (M), ASSAM

VERSUS

THE ASSAM PUBLIC SERVICE COMMISSION AND 5 ORS
REPRESENTED BY THE CHAIRMAN, ASSAM PUBLIC SERVICE COMMISSION, KHANAPARA, GUWAHATI-22

2:THE CHAIRMAN
ASSAM PUBLIC SERVICE COMMISSION
KHANAPARA
GUWAHATI-22

3:THE SECRETARY
ASSAM PUBLIC SERVICE COMMISSION
KHANAPARA
GUWAHATI-22

4:THE PRINCIPAL CONTROLLER OF EXAMINATION
ASSAM PUBLIC SERVICE COMMISSION
KHANAPARA
GUWAHATI-22

5:THE INQUIRY OFFICER
ASSAM PUBLIC SERVICE COMMISSION
KHANAPARA
GUWAHATI-22

6:THE PRESENTING OFFICER

ASSAM PUBLIC SERVICE COMMISSION
KHANAPARA
GUWAHATI-2

Advocate for the Petitioner : MR. P J SAIKIA,

Advocate for the Respondent : SC, APSC,

BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE

ORDER

Date : 12.10.2026

Heard Mr. P. J. Saikia, learned counsel for the petitioner.

2. By filing this writ petition, the petitioner, who was serving as a Junior Administrative Assistant in the Assam Public Service Commission (APSC), seeks a direction to the respondent authorities to dispose of the statutory appeal dated 10.07.2026 preferred by her against the order dated 23.06.2026, whereby the penalty of removal from service was imposed upon her pursuant to the departmental proceedings initiated against her.

3. The petitioner was placed under suspension by order dated 26.09.2025. Upon completion of the departmental proceedings, the Inquiry Officer submitted the enquiry report dated 30.04.2026, pursuant to which the Secretary, APSC, by order dated 23.06.2026, imposed the penalty of removal from service upon the petitioner. Aggrieved thereby, the petitioner preferred a statutory appeal dated 10.07.2026 before the appellate authority. As the appeal had not been considered by the appellate authority, the petitioner approached this Court seeking a direction for its disposal.

4. By order dated 16.09.2026, this Court directed the learned Standing Counsel, APSC, to obtain instructions in the matter, including with regard to the petitioner's claim of non-payment of subsistence allowance for the period from 01.06.2026 to 23.06.2026.

5. Today, Mr. P. P. Dutta, learned Standing Counsel, APSC, on instructions, submits that the subsistence allowance claimed by the petitioner has already been cleared. Mr. P. J. Saikia, learned counsel for the petitioner, fairly acknowledges the same. As regards the statutory appeal dated 10.07.2026, the learned Standing Counsel submits that the same shall be disposed of within a period of 6 (six) weeks.

6. In view of the submission made by the learned Standing Counsel, APSC, and as the grievance of the petitioner regarding non-payment of subsistence allowance stands addressed, this Court is of the view that no useful purpose would be served by keeping this writ petition pending.

7. Accordingly, the respondent authorities are directed to dispose of the statutory appeal dated 10.07.2026 preferred by the petitioner against the order dated 23.06.2026 within a period of 5 (five) weeks from today.

8. The writ petition stands disposed of.

JUDGE

Comparing Assistant