

GAHC010252692023



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

**Case No. : WP(C)/6706/2023**

SANTANA GHOSH  
W/O- AMAR ROY,  
R/O- WARD NO- 3, BALURCHAR,  
P.O, P.S- AND DIST- DHUBRI, ASSAM

VERSUS

THE GAUHATI HIGH COURT AND 5 ORS  
(THE HIGH COURT OF ASSAM, MIZORAM, ARUNACHAL PRADESH AND  
NAGALAND) REP. BY THE REGISTRAR GENERAL, GUWAHATI-01

2:THE REGISTRAR (ADMINISTRATION)  
THE GUWAHATI HIGH COURT  
GUWAHATI-01

3:THE MEMBER / PRESIDING OFFICER  
MOTOR ACCIDENT CLAIMS TRIBUNAL  
DHUBRI

PIN-783301

4:BIPROJIT ROY  
S/O- LATE KARTIK CHANDRA ROY

R/O- WARD NO-9  
BARPARA

NEAR BONGAIGAON LAW COLLEGE

P.O- BARPARA

DIST- BONGAIGAON

ASSAM  
PIN-783380

5:THE ENQUIRY OFFICER  
CUM ADDITIONAL CHIEF JUDICIAL MAGISTRATE  
DHUBRI  
ASSAM

6:ANANTA PRASAD  
THE CHIEF ADMINISTRATIVE OFFICER

MOTOR ACCIDENT CLAIMS TRIBUNAL  
DHUBRI

PIN-78330

**Advocate for the Petitioner** : MR H R A CHOUDHURY

**Advocate for the Respondent** : SC, GHC

**BEFORE**  
**HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

**ORDER**

**29.11.2023**

Heard Mr. H.R.A. Choudhury, learned senior counsel assisted by Mr. A.T. Sarkar, learned counsel for the petitioner and Mr. H.K. Das, learned Standing Counsel, Gauhati High Court [GHC] for the respondent nos. 1 - 5.

2. The petitioner has assailed the departmental proceeding initiated against the petitioner on 17.10.2023 vide Show Cause Notice of event date issued under Rule 7 of the Assam Services [Discipline and Appeal] Rules, 1964. The petitioner has been asked thereby, to submit her written statement-of-defence within a stipulated time period. It is the case of the petitioner that earlier on 08.09.2023, another departmental proceeding had been initiated against her after placing the petitioner under suspension w.e.f. 01.09.2023. It is the contention of the petitioner that both the departmental proceedings have been initiated at the instance of the respondent no. 6, who was earlier admonished for causing harassment to

the petitioner at the workplace.

3. Mr. Das, learned Standing Counsel, GGC has submitted that the charges brought against the petitioner in the said two departmental proceedings are of different nature and the issue that the two departmental proceedings have been initiated at the behest of the respondent no. 6 by the respondent no. 3, cannot be countenanced.

4. The matter would require further examination.

5. Issue notice, returnable in 4 [four] weeks.

6. As Mr. Das, learned Standing Counsel, GHC has appeared and accepted notices on behalf of the respondent nos. 1 – 5, no formal notice is need to be issued to the said respondents. Mr. Sarkar shall furnish requisite nos. of extra copies of the writ petition along with the annexures, to Mr. Das within 3 [three] working days from today.

7. The petitioner shall take steps for service of notice upon the respondent no. 6 by registered post with A/D within 2 [two] working days from today.

8. The prayer of interim relief is left open for consideration on the returnable date.

9. List the case after 4 [four] weeks.

**JUDGE**

**Comparing Assistant**