

WP(C) 6087/2016

BEFORE

HON'BLE MR JUSTICE ARUP KUMAR GOSWAMI

Heard Mr. K. N. Choudhury, learned Senior counsel, appearing for the petitioner.

Also heard Mr. T. C. Chutia, learned State counsel, appearing for respondents No. 1 to 4.

A regular enquiry was initiated against the petitioner, who is a Member of the Assam Public Service Commission ('APSC'), in the office of the Director General, Vigilance and Anti-Corruption, at the instance of the Government of Assam. By a letter dated 27.09.2016, issued by the Superintendent of Police, Vigilance and Anti-Corruption, addressed to the Chairman, APSC, the Chairman, APSC, was requested to direct the petitioner to appear before Sri Jitendra Chakraborty, Deputy Superintendent of Police, Vigilance and Anti-Corruption, in the Directorate of Vigilance and Anti-corruption, on 29.09.2016, at 11-00 A.M. positively for recording his statement and clarification of some points in connection with the regular enquiry. It is against the aforesaid letter dated 27.09.2016 that the petitioner has approached this Court by filing this writ application under Article 226 of the Constitution of India.

On the basis of written instructions received, Mr. Chutia has submitted that till date no FIR has been filed in the Directorate against the petitioner. However, it is necessary to record the statement and examine the petitioner in connection with the regular enquiry.

In view of the aforesaid submission of Mr. Chutia, Mr. Choudhury has submitted that there is no surviving cause of action for the present and, therefore, he does not want to press this application.

In view of the above, the writ petition is dismissed as not pressed.