

GAHC010003872012



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

Case No. : WP(C)/1206/2012

BIBHUTI BHUSAN DAS
SON OF LT. KHAGENDRA DAS VILL- BHATTO DEV NAGAR P.O. and P.S.
PATSALE DIST. BARPETA, ASSAM.

VERSUS

THE STATE OF ASSAM AND ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
HEALTH AND FAMILY WELFARE DEPARTMENT, DISPUR, GUWAHATI-6

2:THE DIRECTOR OF HEALTH SERVICES

HENGRABARI
GUWAHATI-6.

3:THE DEPUTY COMMISSIONER

BARPETA
ASSAM.

4:THE JOINT DIRECTOR OF HEALTH SERVICES

BARPETA
ASSAM.

5:PHULENDRA NATH DAS
UDA
JOINT DIRECTOR OF HEALTH SERVICES
BARPETA
ASSAM

Advocate for the Petitioner : MR.J AHMED

Advocate for the Respondent : FOR CAVEATOR

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

31.08.2023

Heard Shri A.N. Ahmed, learned counsel for the petitioner. Also heard Ms. S. Sharma, learned Standing Counsel, Health and Family Welfare Department as well as Shri T.C. Chutia, learned Addl. Senior Government Advocate, Assam for the State respondents.

The matter pertains to a challenge of an action by which the petitioner who was working as In-charge Head Assistant in the GNM Training School, Barpeta was replaced by the respondent no. 5.

While issuing notice, this Court vide order dated 14.03.2012 had also passed an interim order on the strength of which the petitioner had continued on the In-charge basis.

Shri Ahmed, the learned counsel for the petitioner however submits that during the pendency of this writ petition, the petitioner has retired from service on attaining the age of superannuation.

Ms. Sharma, the learned Standing Counsel of the Department as well as Shri Chutia, the learned State Counsel has submitted that in view of such development, the matter has become only academic in nature.

This Court is of the opinion that no further adjudication is necessary and accordingly the writ petition is closed.

JUDGE

Comparing Assistant