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

Case No. : WP(C)/5761/2026

SRI MRIDUL DUARI
S/O LATE RATNESWAR DUARI, R/O HOUSE NO. 12, BISNURAVA PATH, BYE LANE NO.3, BELTOLA, GUWAHATI DIST. KAMRUP (M).

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM, IRRIGATION DEPARTMENT, GUWAHATI-06, DIST. KAMRUP (M), ASSAM.

2:THE SECRETARY TO THE GOVERNMENT OF ASSAM
IRRIGATION DEPARTMENT
GUWAHATI-06
DIST. KAMRUP (M)
ASSAM.

3:THE UNDER SECRETARY TO THE GOVERNMENT OF ASSAM
IRRIGATION DEPARTMENT
CONFIDENTIAL BRANCH
DISPUR
GUWAHATI-06
DIST. KAMRUP (M)
ASSAM.

4:CHIEF ENGINEER
IRRIGATION
ASSAM
CHANDMARI
GUWAHATI-03
DIST. KAMRUP (M).

5:EXECUTIVE ENGINEER
BOKO CHAYGAON SAMARIA DIVISION (IRRIGATION)
BOKO
DIST. KAMRUP (R)

Advocate for the Petitioner : MR. S BORTHAKUR, MS. S KAKATI,R DEB

Advocate for the Respondent : SC, IRRIGATION,

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

15.10.2026

Heard Shri S. Borthakur, learned counsel for the petitioner. Also heard Shri R.M. Das, learned Standing Counsel, Irrigation Department.

The challenge in this petition pertains to a departmental proceeding. It is contended that the petitioner was not afforded any defence assistant in the enquiry and there were gross procedural lapses in the enquiry. This Court has however noticed that the stage of the proceeding is affording the petitioner to submit his response to the enquiry report by means of a second show cause notice.

This Court is of the opinion that the points raised in this petition can very well be urged in the response that may be filed by the petitioner to the second show cause notice and if done, the same is liable to be considered in accordance with law by the authorities.

This Court is of the view that the writ petition is premature. Accordingly, the same is dismissed.

It is needless to state that in case of any grievance with regard to the final

orders that may be passed, the petitioner would be at liberty to approach the appropriate forum.

JUDGE

Comparing Assistant