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who was the appellant in the case?




The appellant in the case was the State of Assam. This can be inferred from the legal context provided, which states that "These appeals by special leave are by the State of Assam..." and "These appeals are disposed of accordingly, in these terms." This information establishes that the State of Assam was the party bringing the case before the court.




who were the respondents in this case?




The respondents in this case were C.K. Das, I.A.S. & Others. This is evident from the case name "State of Assam Vs. C.K. Das, I.A.S. & Others" mentioned in the provided legal precedents. The case involved three senior officers of the Government of Assam: Chief Secretary H.N. Das, Additional Chief Secretary P.C. Mishra, and Commissioner (Home) C.K. Das. The appeals by special leave were filed by the State Government against the Tribunal's order, which involved the aforementioned individuals as respondents.



what was the main issue in this case?



In this case, the main issue was a clash of egos between three senior officers of the Government of Assam. The dispute arose due to unclear and ambiguous orders made by the State Government regarding the leave request of Shri H.N. Das, the Chief Secretary. This led to confusion and resulted in a situation where Shri P.C. Mishra, the Additional Chief Secretary, claimed to have assumed the position of Chief Secretary. The situation escalated to the point where the State Government issued orders conveying displeasure to Shri P.C. Mishra for his behavior with a junior lady officer. Shri P.C. Mishra filed an O.A. to quash the State Government's orders, which ultimately led to this case.\n\nBased on the legal precedents provided, the court expunged all adverse remarks against Shri H.N. Das, the Chief Secretary, and disposed of the appeals. The court emphasized the importance of each officer being constantly aware of the purpose of their position and not using their power for personal benefit or to elevate their own status. The court hopes that this incident serves as a warning for the future and that similar situations can be avoided through clear communication and awareness of the responsibilities of high-level administrative positions.\n\nThis case highlights the importance of clear communication and understanding of the roles and responsibilities within an administrative hierarchy. Ambiguous orders and unclear situations can lead to conflicts and unnecessary disputes, which can harm the overall functioning and efficiency of the administration. The court's judgment aims to prevent such situations from occurring in the future at any level of administration, including the highest level.



Key Legal Points:\n\n* **Expungement of Adverse Remarks:** The State of Assam and all parties involved agreed that the adverse remarks made by the Tribunal against Shri H.N. Das should be expunged.\n\n* **Quashing of Government Orders:** The Tribunal allowed Shri P.C. Mishra's O.A. No. 211 of 1992, quashing the orders dated 10/10/1991 and 8/9/1992 made by the Government of Assam conveying displeasure against him. \n\n**Legal Principles:**\n\n* **Judex Exercis Scire Debet:** The judge should be aware of the facts and circumstances surrounding the case. \n\n* **Public Interest:** High office holders should be aware that their power is meant for public good and not

for personal gain or egoistic pursuits.

*** Clarity and Precision:** Clear and precise communication is essential for smooth functioning of the administration.

Judgment:

Based on the mutual agreement of all parties to expunge the adverse remarks made by the Tribunal against Shri H.N. Das, and the quashing of the Government's orders against Shri P.C. Mishra, the appeals are disposed of accordingly.

The Tribunal's order is modified to expunge all adverse remarks against Shri H.N. Das, Chief Secretary. The Tribunal's order, as modified, stands.

The appeals are dismissed.

Explanation of Steps:

- 1. Summarization:** The key legal points are clearly stated in bullet points for ease of reference.
- 2. Analysis:** The legal principles are identified and explained, highlighting their relevance to the specific case.
- 3. Applying Precedents:** The reasoning is based on the mutual agreement of the parties and the specific order of the Tribunal allowing the quashing of Government orders.
- 4. Concise Judgment:** The judgment is clear, concise, and directly addresses the issues presented.
- 5. General Legal Principles:** The principles of clear communication, public interest, and the responsibility of high office holders are applied to the facts of the case.

Disclaimer: This judgment is provided for educational purposes only and should not be considered legal advice. It is recommended to consult with a qualified legal professional for specific legal advice.

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