

GAHC040017512023



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

Case No. : IA(C)/214/2023

The State of AP and 4 Others

Age: 0

Occupation :

Address: represented by the Chief Secretary, Government of Arunachal Pradesh,
Itanagar.

2. The Commissioner (Home)

Government of Arunachal Pradesh

Itanagar.

3: The Director General of Police

Age: 0

Occupation :

Address: Police Headquarters

Government of Arunachal Pradesh

Itanagar.

4: The Inspector General of Police

Age: 0

Occupation :

Address: Police Headquarters, Chimpu

Government of Arunachal Pradesh

Itanagar.

5: The Secretary Sports and Youth Affairs,

Govt. of Arunachal Pradesh,

Itanagar, PIN-791111.

6: Director Sports, Govt. of Arunachal Pradesh,

Chimpu, Itanagar District Papumpare,

Arunachal Pradesh, PIN-791111.

7. Director Youth Affairs, Government of Arunachal

Pradesh, Chimpu Itanagar

Advocate for : T T Tara

Advocate for : GA (AP) appearing for The State of AP

VERSUS

Dana Taju and 35 Ors.

Age: 26

Occupation :

Address:S/o Dana Tagar

R/o Banderdewa

PO/PS Banderdewa

Papumpare District

Arunachal Pradesh. Ph. 8135883852

2: Apu Kamchi

Age: 24

Occupation :

Address:S/o Shri Agam Kamchi

R/o R.W.D Colony Chimpu

PO/PS Itanagar

Papumpare District

Arunachal Pradesh.

3: Pramod Kamti

Age: 28

Occupation :

Address:S/o Shri Uchit Kamti

R/o Seppa

PO/PS Seppa

East Kameng

Arunachal Pradesh.

4: Tagio Yaming

Age: 27

Occupation :

Address:D/o Shri Tagio Tari

R/o Itanagar

PO/PS Itanagar

Papumpare District

Arunachal Pradesh.

5: Dongda Yana

Age: 50

Occupation :
Address:D/o Shri Dongda Nikam

R/o Naharlagun
PO/PS Naharlagun
Papumpare District
Arunachal Pradesh.

6: Kakap Tajo
Age: 27
Occupation :
Address:S/o Shri Koniang Tajo

R/o Naharlagun
PO/PS Naharlagun
Paumpare District
Arunachal Pradesh.

7: Ramesh Muri
Age: 43
Occupation :
Address:S/o Shri Tatu Muri

R/o Yupia
PO/PS Naharlagun
Papumpare District
Arunachal Pradesh.

8: Rumik Baby
Age: 23
Occupation :
Address:D/o Lt. Rumik Tari

R/o Chimpur II
PO/PS Chimpur
Papumpare District
Arunachal Pradesh.

9: Ha Rimi
Age: 26
Occupation :
Address:D/o Shri Ha Taji

R/o Chimpur
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Permanent Resident of Senua PO Senua PS Longding
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Age: 27
Occupation :
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R/o Itanagar
PO/PS Itanagar
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Arunachal Pradesh.

12: Gamjar Bui
Age: 27
Occupation :
Address:S/o Shri Tagam Bui

R/o Nirjuli
PO/PS Nirjuli
Papumpare District
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13: Jaong Lukham
Age: 30
Occupation :
Address:S/o Shri Ponglai Lukham

R/o Longding
PO/PS Longding
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Arunachal Pradesh.

14: Yade Don
Age: 32
Occupation :
Address:D/o Shri Talar Don

R/o Naharlagun
PO/PS Naharlagun
Papumpare District
Arunachal Pradesh.

15: Biri Tasso
Age: 25
Occupation :
Address:S/o Shri Biri Laling

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Papumpare District
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16: Gora John
Age: 28
Occupation :
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17: Yarde Mapchi
Age: 24
Occupation :
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18: Yorbu Raji Tamin
Age: 28
Occupation :
Address:S/o Shri Taje Raji Tamin

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19: Bakhemlu Krong
Age: 27
Occupation :
Address:S/o Lt. Sosey Krong

R/o Lohit
PO/PS Tezu

Lohit District
Arunachal Pradesh.

20: Niya Lamgu
Age: 30
Occupation :
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21: Yari Maying
Age: 24
Occupation :
Address:D/o Shri Tanam Maying

R/o Itanagar
PO/PS Itanagar
Papumpare District
Arunachal Pradesh.

22: Taba Yapa
Age: 27
Occupation :
Address:S/o Shri Taba Tado

R/o Darya Hill
PO/PS Itanagar
Papumpare District
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23: Kato Ngadong
Age: 24
Occupation :
Address:S/o Shri Panjalum Ngadong

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Age: 27
Occupation :
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27: Doi Taipodia
Age: 32
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28: Dudu Bagang
Age: 27
Occupation :
Address:S/o Shri Lakap Bagang

R/o Chayang Tajo
PO/PS Seppa
East Kameng District
Arunachal Pradesh.

29: Goda Yabang
Age: 26
Occupation :
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Age: 25
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31: Tai Abu
Age: 25
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32: Raj Kumar Medak
Age: 30
Occupation :
Address:S/o Shri Dombhiram Medak

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PO/PS Naharlagun
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33: Nabam Maji
Age: 26
Occupation :
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34: Samne Gyadi
Age: 28

Occupation :
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R/o Banderdewa
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Papumpare District
Arunachal Pradesh.

36: Charu Tajing
Age: 29
Occupation :
Address:S/o Charu Tago

R/o IG Park
PO/PS Itanagar
Papumpare Arunachal Pradesh.

Advocate for the Petitioner : GA (AP)

Advocate for the Respondent : Sunil Mow

Linked Case : WP(C)/464/2023

Shri Kong Dari
Age: 29
Occupation :
Address:S/o Shri Adi Dari
village Wessang
P.O Wessang
P.S Seppa
East Kameng
Arunachal Pradesh
Mobile No. 7628915816

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Age: 0

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Address:Police Headquarters

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Itanagar.

3:The Inspector General of Police - cum - the Recruitment Chairman

Age: 0

Occupation :

Address:Police Headquarters

Government of Arunachal Pradesh

Itanagar.

4:The Assistant Inspector General of Police

Age: 0

Occupation :

Address:Police Headquarters

Government of Arunachal Pradesh

Itanagar.

5:The General Secretary

Age: 0

Occupation :

Address:All Arunachal Pradesh Carrom Association (AAPCA) with its registered office at Rajiv Gandhi Stadium Naharlagun

Advocate for : T T Tara

Advocate for : GA (AP) appearing for The State of AP and 4 Others: Advocate ,

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, appearing for 2,

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Linked Case : WP(C)/320/2023

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PO/PS Itanagar
Papumpare Arunachal Pradesh.
VERSUS

THE STATE OF AP and 6 Ors.
Age: 0
Occupation :
Address:Represented by the Chief Secretary
Govt. of AP
Itanagar.
2:the Commissioner (Home)
Age: 0
Occupation :
Address:Govt. of Arunachal Pradesh
Itanagar
PIN 791111

3:the Director General of Police
Age: 0
Occupation :
Address:Govt. of Arunachal Pradesh
PHQ Chimpu
Itanagar
PIN 791111

4:Inspector General of Police

Age: 0
Occupation :
Address:Govt. of Arunachal Pradesh
PHQ Chimpu
Itanagar.

5:the Secretary
Age: 0
Occupation :
Address:Sports and Youth Affairs
Govt. of Arunachal Pradesh
Itanagar
PIN 791111

6:the Director
Age: 0
Occupation :
Address:Sports
Govt. of Arunachal Pradesh
Chimpu Itanagar
District Papumpare
Arunachal Pradesh
PIN 791111

7:the Director
Age: 0
Occupation :
Address:Youth Affairs
Govt. of Arunachal Pradesh
Chimpu Itanagar
District Papumpare
Arunachal Pradesh.

Advocate for : Sunil Mow
Advocate for : GA (AP) appearing for THE STATE OF AP and 6 Ors.: Advocate ,

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, appearing for 2,

3,

4,
5,
6,
7, respectively.

**BEFORE
HONBLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 21-12-2023

Heard Mr. S. Tapin, learned Senior Government Advocate for the applicant State/respondent. Also heard Mr. S. Mow, learned counsel for the opposite parties/writ petitioners.

By filing this application, the State has prayed for modification/alteration of the order dated 12.07.2023, passed by this Court in WP(C) No.320(AP)2023.

The grievance raised by the Writ Petitioners in the WP(C) No.320(AP)2023 is that in pursuant to the advertisement dated 29.06.2018, issued by the Director General of Police, Government of Arunachal Pradesh inviting application from the eligible candidates of meritorious sports persons for recruitment of various posts under sports quota in Civil Police, AAPBn & IRBN in Arunachal Pradesh Police, the petitioners had submitted their applications for the said posts. The petitioners were served with Call Letters to appear before the recruitment authority on 09.06.2023 at PTC, Banderdewa for PST/PET/Document Scrutiny. Accordingly the petitioners appeared pursuant to the Call Letters. However, the petitioners were provided with a Rejection Slip, denying the petitioners from participating in the recruitment process in terms of the advertisement dated 29.06.2018.

This Court, while issuing notice, has passed an interim order directing the respondent authorities not to finalize the selection held pursuant to the advertisement dated 29.06.2018.

Mr. S. Tapin, learned Senior Government Advocate submits that though the selection process is completed and the final result is yet to be declared. As per final selection, only thirty five (35) candidates have been selected for the final declaration of result but due to aforesaid interim order passed by this Court, the same is being kept undeclared. Mr. Tapin further submits that the total number of advertised post is 98, whereas the total candidates who have been qualified and selected in the selection process is only 35. As such, even if the selection process is finalized and the result is declared, the same will not cause any prejudice to the selection avenue of the writ petitioners in event, if the Writ Petition is allowed by this Court. Therefore, Mr. Tapin prays for alteration/modification of the interim order dated 12.07.2023.

Mr. S. Mow, learned counsel for the petitioners fairly submits that if the position projected by the State is correct, it may not cause prejudice to the petitioners. However, he submits that instead of modification of the interim order dated 12.07.2023, the main Writ Petition may be disposed of.

Having heard the submissions of learned counsel for the parties, it is noticed that admittedly the total advertised posts is 98 and after selection, only 35 candidates have been selected and the Writ Petitioners are only 36.

In view of such position, I am of the considered view that continuation of the interim order dated 12.07.2023 will not be in the interest of justice to all the parties. Accordingly, the interim order dated 12.07.2023, passed by this Court is modified, to the extent of giving liberty to the State respondents to finalize the

selection process, as it is contended that only thirty five (35) candidates have been selected, pursuant to the advertisement dated 29.06.2018. However, it is directed that thirty six (36) posts shall not be filled up, till the final disposal of the Writ Petition.

The Interlocutory Application stands disposed of.

JUDGE

Comparing Assistant