

GAHC010073512021



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

Case No. : Cont.Cas(C)/197/2021

GAURI SANKAR BORA AND 5 ORS.
S/O- PRONAB BORA, HOUSING COLONY, NEAR DC OFFICE, DIST.-
SIVASAGAR, ASSAM- 785640.

2: DR. KAMAL KUMAR TANTI
S/O- SANJOY KUMAR TANTI
VILL.- BHATEMARA
PULIBOR
JORHAT
ASSAM- 785001.

3: DR. PONCHAMI SARMA
D/O- RAJEN SARMA
MONAI MAZI GAON
NEAR BHAGDOI BRIDGE
MALAO ALI
P.O. DHEKORGORHA
JORHAT
ASSAM- 785015.

4: ADITYA SAHU
S/O- BABULAL SAHU
WARD NO. 3
P.O. MORANHAT
DIST.- SIVASAGAR
ASSAM- 785670.

5: PRIYAM HAZARIKA
S/O- LATE N.K. HAZARIKA
3D
LABANYA APARTMENT
CLUB ROAD
JORHAT
ASSAM.

6: NEELAMJYOTI LAHKAR
S/O- KARUNA KANTA LAHAKAR
FLAT 2D
PARLAY OAK APARTMENT
FCI
BAMUNIMAIDAN
GUWAHATI
ASSAM- 781021

VERSUS

CHINMOY JIT SARMA AND ANR
COORDINATOR, ASSAM ENERGY INSTITUTE, SIVASAGAR CENTRE OF
RAJIV GANDHI INSTITUTE OF PETROLEUM TECHNOLOGY, VILL.-
GOHAIN GAON, DIST.- SIVASAGAR, ASSAM- 785697.

2:HARENDRA NATH GOGOI
ADMINISTRATIVE OFFICER
ASSAM ENERGY INSTITUTE
SIVASAGAR CENTRE OF RAJIV GANDHI INSTITUTE OF PETROLEUM
TECHNOLOGY
VILL.- GOHAIN GAON
DIST.- SIVASAGAR
ASSAM- 785697

Advocate for the Petitioner : MR S BORTHAKUR

Advocate for the Respondent : MR. R M DEKA (R-1,2)

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

09.10.2023

Heard Mr. S. Das, learned counsel for the petitioner. Also heard Mr. N. Gautam, learned counsel for the respondents.

This contempt petition is filed alleging willful disobedience of the order dated 29.01.2021 passed in W.P(C) No. 497/2021. By the said order, the following direction was passed:

“Heard Mr. S. Borthakur, learned counsel for the petitioners.

It is stated that all the petitioners were appointed on contractual basis as teachers at the Rajiv Gandhi Institute of Petroleum Technology, Sivasagar by various orders dated 17.08.2017/23.07.2018. The contractual appointments were initially for a period of one year which, however, stood extended from time to time. It is also stated that to get the benefit of regular appointment as teachers in the said institute, the petitioners had responded and also participated in the selection process, following the Advertisement issued sometime in May, 2020. The said Advertisement was in respect of filling up post of Lecturers in various disciplines, including the discipline where the petitioners are working. Grievance is now expressed that without publishing Select List following the recruitment process initiated vide the aforesaid Advertisement, steps are now being taken to put an end to the contractual service of the petitioners. In this regard, reference is made to an order issued by the Assistant Registrar, Faculty Affairs, Rajiv Gandhi Institute of Petroleum Technology, Sivasagar (Annexure-24 to the writ petition), which indicates that the contractual term would come to an end on 31.01.2021 and no further extension will be granted. This has prompted the writ petitioners to institute the present proceedings.

Let Notice be issued, returnable by 4(four) weeks.

Petitioners to take steps for service of notice on all the respondents by registered post, acknowledgement due within 5 days.

As an interim measure, a direction is made to the respondents to allow the petitioners to continue in service until such time when the recruitment process initiated vide the aforesaid Advertisement is brought to a logical conclusion.

List for Admission immediately after the returnable date.”

As is seen from the direction of this Court extracted above, the petitioners were permitted to be allowed to continue in service until the time the recruitment process initiated by the respondents is brought to a logical end.

It is submitted that pursuant to the interim order, the petitioner continued in service till the recruitment process came to an end and fresh recruits were appointed.

Taking into consideration the submissions made, it is seen that the direction contained in the order dated 29.01.2021 was duly complied but thereafter no extension of the interim order was sought for. Consequently, the interim order passed having been complied with, no contempt arises.

Accordingly the contempt petition stands closed.

Notices issued are recalled.

JUDGE

Comparing Assistant