

GAHC010082742023



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

Case No. : WP(C)/2111/2023

BANDANA KUMARI GOHAIN @ BANDANA GOHAIN
W/O- SRI LILA KANTA BORAH, R/O- BORTILA, BORBARI, P.O.
HENDERABARI, P.S. DISPUR, DIST.- KAMRUP (M), ASSAM, PIN- 781036, PH.
NO. 9401337691, EMAIL-ID- LILAKANTABORAH2@GMAIL.COM

VERSUS

THE STATE OF ASSAM AND ANR
REP. BY THE COMMISSIONER/SECRETARY, THE DEPARTMENT OF HEALTH
SERVICE, GOVT. OF ASSAM, DISPUR, GHY-06

2:THE DIRECTOR OF HEALTH SERVICE
ASSAM
THE DEPARTMENT OF HEALTH AND FAMILY WELFARE
GOVT. OF ASSAM
SWASTHYA BHAWAN
HENDERABARI
P.O. HENDERABARI
GUWAHATI-36
DIST.- KAMRUP (M)
ASSA

Advocate for the Petitioner : MR G KAKOTI

Advocate for the Respondent : SC, HEALTH

BEFORE
THE HON'BLE MR JUSTICE ARUN DEV CHOUDHURY
ORDER

18.12.2023

1. Heard Mr. G Kakoti, learned counsel for the petitioner. Also heard Mr. D Upamanyu, learned standing counsel for the Health & Family Welfare Department.
2. The grievance of the petitioner raised in this writ petition is that the petitioner is a qualified experienced ANM and she has applied for appointment against regular post under the respondent No. 2 in terms of advertisement dated 01.10.2020. According to the petitioner, the written examination was held on 10.01.2021 and the result was declared on 08.04.2023. In terms of the aforesaid result, the petitioner was not qualified in the written examination. However, it is the case of the petitioner that she is not satisfied with the result declared by the respondent No. 2 and accordingly she has filed the present writ petition.
3. From the statement made in the present writ petition, the case projected by the petitioner that she did very well in the examination and expected to be qualified however, the result was otherwise. According to her, she is having an experience of more than 16 years and she will be ineligible to participate in subsequent selection process as she will become over aged by the next selection process is conducted. Therefore, she has approached this court.
4. The further case of the petitioner is that she has come to know that some candidates, who have not appeared in the written examination, had got qualified and selected. A further statement is made that the entire selection process is based on anomalies and irregularities and said selection process is conducted with favouritism and bias manner. However, no material has been placed before this court or any specific incident has been stated in respect of the alleged anomalies. Except the aforesaid vague statement nothing is

available on record to show that the selection process was vitiated by anomalies.

5. In absence of any material even remotely suggesting any anomalies or in absence of a specific statement, this court cannot make out a roving and fishing enquiry to find out such anomalies.

6. The other aspect of the matter is that the petitioner has challenged the entire selection process and allegation has been made against the selected candidates, however, none of the selected candidates are arrayed as party respondent in the present writ petition.

7. In the totality of the matter, this court finds no merit in the writ petition. Accordingly, same stands dismissed. However, while parting with the record, it is made clear that the other grievance of the petitioner that she shall be age barred by the next selection process, the respondents shall be at liberty to consider her case for relaxation of age if such application for relaxation is filed in future selection process in terms of the extent norms of relaxation of age and dismissal of this writ petition shall not influence such decision of the respondent authorities.

JUDGE

Comparing Assistant