

GAHC010064102024



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

Case No. : WP(C)/1765/2024

KARABI DEKA SAUD
W/O- DIGANTA SAUD,
VILLAGE AND P.O.- NIZPAKOWA,
P.S.- BELSOR, DISTRICT- NALBARI,
ASSAM.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY,
DEPARTMENT OF REVENUE,
DISPUR, GUWAHATI, ASSAM, PIN- 781006.

2:THE DISTRICT COMMISSIONER
NALBARI
DISTRICT- NALBARI
ASSAM
PIN- 781335.

3:THE ADDITIONAL DISTRICT COMMISSIONER CUM MEMBER
SECRETARY

SELECTION COMMITTEE FOR SELECTION AND APPOINTMENT OF GAON
PRADHAN

NALBARI
ASSAM
PIN- 781335.

4:THE CIRCLE OFFICER
PASCHIM NALBARI REVENUE CIRCLE
NALBARI
ASSAM

PIN- 781335.

5:KUMUD DEKA
S/O.- LATE MAHINDRA NARAYAN DUTTA

RESIDENT OF LAT NO. 2
NIZ- PAKOWA

P.O.- NIZ-PAKOWA
P.S.- BELSAR

DISTRICT- NALBARI
PIN

Advocate for the Petitioner : MR. B J GHOSH

Advocate for the Respondent : SC, REVENUE

BEFORE
HONOURABLE MR. JUSTICE LANUSUNGKUM JAMIR

ORDER

Date : 01-04-2024

Heard Mr. P.J. Ghosh, learned counsel for the petitioner. Also heard Mr. S. Dutta, learned standing counsel, Revenue Department, for respondent No. 1 and Mr. R. Dhar, learned Additional Senior Government Advocate, for respondent Nos. 2, 3 and 4.

Pursuant to an advertisement dated 26-05-2022, inviting applications for 101 posts of *Gaon Pradhan* under Revenue Circle, district-Nalbari, the petitioner applied for the post of *Gaon Pradhan* of Nizpakowa Part-I. The petitioner appeared for interview on 19.01.2022. However, the petitioner was not selected and one Sri Kumud Dutta was appointed as Gaon Pradhan of Nizpakowa Part-I. Being aggrieved, the petitioner has approached before this Court.

The learned counsel for the petitioner fairly submits that in terms of Notification dated 01.02.2024, the petitioner has to file an appeal before the Director of Land Records and Surveys Assam, within a period of 60 (sixty) days from the date of receipt of the copy of the order of appointment under Executive Instructions No. 162-C of the Assam Land and Revenue Regulations, 1886 (Amendment) 2024. He, however, submits that the petitioner has not been furnished a copy of the appointment order of the private respondent No. 5, Sri Kumud Dutta as Gaon Pradhan of Nizpakowa Part-I and therefore is unable to file the appeal. He also submits that the period of limitation for 60 days would count from the date, the petitioner receives a copy of the appointment order of the respondent No. 1.

Considering the submission made by the learned counsel for the petitioner, this Writ Petition is disposed of directing the District Commissioner, Nalbari / Respondent No. 2 to furnish a copy of appointment order of the private respondent No. 5 to the petitioner within a period of 2 (two) weeks from the date of the receipt of the copy of this Court. The petitioner is also permitted to furnish a certified true copy of the order of this Court to the District Commissioner, Nalbari. Thereafter, on receipt of appointment order of the private respondent No. 6, the petitioner may take steps as provided by law.

With the above observations and directions, the instant Writ Petition is disposed of.

JUDGE

Comparing Assistant