

GAHC010075072024



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

Case No. : WP(C)/2028/2024

RINKU MONI DUTTA BARMAN
W/O SRI DIPJYOTPTI BARMAN
R/O VILL- NIZ CHAMATA MOUJA- DHARAMPUR, P.O. AND P.S. BELSOR
DIST. NALBARI, ASSAM
PIN-781304

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM, REVENUE
DEPARTMENT, DISPUR, GUWAHATI-06, ASSAM

2:THE DIRECTOR OF LAND RECORDS AND SURVEYS
ASSAM
OFFICE OF THE DIRECTOR OF LAND RECORDS AND SURVEYS
SRIMANTAPUR
RUPNAGAR
DIST. KAMRUP (M)
GUWAHATI-32
ASSAM

3:THE DISTRICT COMMISSIONER
OFFICE OF THE DISTRICT COMMISSIONER
NALBARI
ASSAM
PIN-781335

4:ADDITIONAL DISTRICT COMMISSIONER
(ADC) (GAON PRADHAN) NALBARI
AS MEMBER SECRETARY
SELECTION COMMITTEE
OFFICE OF THE DISTRICT COMMISSIONER

NALBARI, PIN-781335

5:CIRCLE OFFICER
OFFICE OF THE CIRCLE OFFICER
PASCIM NALBARI REVENUE CIRCLE
DIST. NALBARI, ASSAM

6:JELIMONI DEVI
D/O SRI DILIP SARMA
R/O VILL- NIZ CHAMATA MOUJA- DHARAMPUR
P.O. AND P.S. BELSOR
CHAMATA
LAT NO. 2
NALBARI
PIN-781306
ASSA

Advocate for the Petitioner : MR. S K GOSWAMI

Advocate for the Respondent : SC, REVENUE

BEFORE
HONOURABLE MR. JUSTICE LANUSUNGKUM JAMIR

ORDER

Date : 09-04-2024

Heard Mr. S.K. Goswami, learned counsel for the petitioner. Also heard Mr. J. Handique, learned standing counsel, Revenue Department, for respondent Nos. 1 & 2 and Mr. D. Bora, learned Government Advocate for respondent Nos. 3, 4 & 5.

Pursuant to a Notice dated 26-05-2022 by which applications were invited for filling up 101 vacant posts of Gaon Pradhan under different Revenue Circles, under Nalbari District, the petitioner applied for the vacant post of Gaon Pradhan under Chamata Lat No.3. However, the private respondent No. 6, namely, Jelimoni Devi was selected for Chamata Lat No 3.

It is case of the petitioner that the private respondent No. 6 is not a resident of Chamata Lat No. 3 and she has three children and therefore, she could not have been selected for the post of Gaon Pradhan, Chamata Lat No. 3.

Being aggrieved, the petitioner filed an appeal before the Director of Land Records and Survey, Assam on 23.02.2024, which was registered as Appeal No. 10/2024.

The grievance of the petitioner before this Court is that despite filing the appeal under Instruction 162(C) of the Assam Land Revenue Regulations, 1886 (Amendment) 2024, the Director of Land Records and Survey, Assam / Respondent No. 2 is yet to dispose of the said appeal.

Considering the short issue involved, this writ petition is disposed of directing the Director of Land Records and Survey, Assam / respondent No. 2 to consider and dispose of the Appeal No. 10/2024 dated 23.02.2024 filed by the petitioner, in accordance with law, within a period 3 (three) months from the date of receipt of the certified copy of this order.

It is the case of the petitioner that no appointment order has been issued to the respondent No. 6 till date.

Accordingly, it is directed that till the appeal filed by the petitioner is disposed of by the respondent No. 2, no appointment order shall be issued to the respondent No. 6, if not already appointed.

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

JUDGE

Comparing Assistant