

GAHC010087862024



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

Case No. : WP(C)/2324/2024

JONAKI DAS

W/O- LATE PROMOD CH. DEKA, SENIOR ASSISTANT, THE OFFICE OF THE
DIRECTOR OF INFORMATION AND PUBLIC RELATIONS, ASSAM, R/O-
HOUSE NO. 21, BORSAJAI, BIKASH NAGAR, NARANARAYAN PATH, P.O.
BELTOLA, GHY-781028, PS BAISTHA, DIST. KAMRUP(M), ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, INFORMATION AND PUBLIC RELATIONS, PRINTING AND
STATIONARY DEPARTMENT, ASSAM, DISPUR, GHY-6, DIST. KAMRUP(M),
ASSAM

2:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GHY-781006
DIST. KAMRUP(M)
ASSAM

3:THE DIRECTOR OF INFORMATION AND PUBLIC RELATIONS
ASSAM
DISPUR
GHY-6
DIST. KAMRUP(M)
ASSAM

4:HAREN KUMAR SARMA
SENIOR ASSISTANT
THE OFFICE OF THE DIRECTOR OF INFORMATION AND PUBLIC

RELATIONS
ASSAM
DISPUR
GUWAHATI-6
DIST. KAMRUP(M)
ASSA

Advocate for the Petitioner : MR. N N B CHOUDHURY

Advocate for the Respondent : GA, ASSAM

BEFORE
HON'BLE MR. JUSTICE LANUSUNGKUM JAMIR

03.05.2024

O R D E R

Heard Mr. N.N.B. Choudhury, learned counsel for the petitioner. Also heard Mr. J.K. Goswami, learned Additional Senior Government Advocate, Assam, for respondent Nos.1 and 3 and Mr. A. Chaliha, learned Standing Counsel, Finance Department, Government of Assam, for respondent No.2.

2. The petitioner was initially appointed as a Lower Division Assistant (LDA) in the Directorate of Information and Public Relations for a period of three months by an order dated 27.10.1990. The petitioner joined the said post on 01.11.1999. The respondent No.4 joined the same post (LDA) on 01.12.1990 under the same Directorate. An amalgamated provisional gradation list of LDA and Typist of the Directorate of Information and Public Relations was issued by an order dated 12.09.1996 wherein the name of the petitioner appears at Serial No.27 as a Typist and the respondent No.4 appears at Serial No.29 as a LDA. The gradation list of Typist/LDA of the Directorate of Information and Public Relations was published on 28.04.2004 by an office order dated 28.04.2004 wherein the name of the petitioner appears at Serial No.21 as a Typist and respondent No.4 appears at Serial No.23 as LDA.

3. By another office order dated 06.08.2007, the provisional gradation list of LDA/Typist/LDA-cum-Typist of the Directorate of Information and Public Relations was published wherein the name of the petitioner appears at Serial No.13 as Typist and the respondent No.4 appears at Serial No.14 as LDA.

4. The petitioner is aggrieved by the office order dated 01.10.2008 by which the gradation list of LDA/Typist/LDA-cum-Typist of the Directorate of Information and Public Relations was published wherein the name of the respondent No.4 has been placed above the petitioner at Serial No.9 as LDA and the petitioner has been placed at Serial No.10 as Typist.

5. It is the case of the petitioner that the office order dated 01.10.2008, which published the gradation list of LDA/Typist/LDA-cum-Typist of the Directorate of Information and Public Relations was done behind the back of the petitioner without giving any notice. Being aggrieved, the petitioner made a representation before the Director of Information and Public Relations, Assam on 27.09.2023 for fixation of seniority and correction of the gradation list since the year 2008. The said representation dated 27.09.2023 was followed up by another representation dated 08.04.2024 made by the petitioner before the Commissioner and Secretary to the Government of Assam, Directorate of Information and Public Relations, Assam. The case of the petitioner is that her representations dated 27.09.2023 and 08.04.2024 are pending for disposal till date.

6. Mr. J.K. Goswami, learned Additional Senior Government Advocate, Assam, appearing for respondent Nos.1 and 3, submits that the present writ petition may be disposed of by giving a direction to the respondent No.3 to dispose of the representations made by the petitioner within a period of 15 days.

7. Accordingly, after hearing learned counsel for the parties and on consideration of the materials available on record, this writ petition is disposed of

at the motion stage itself by directing the Director of Information and Public Relations, Assam/respondent No.3 to dispose of the representations dated 27.09.2023 and 08.04.2024 made by the petitioner by a speaking order and in accordance with law within a period of 15 days from the date of receipt of a copy of this order.

8. Till the representations made by the petitioner are disposed of by the respondent No.3, no steps shall be taken to fill up the post of Superintendent in the Directorate of Information and Public Relations, Assam.

9. With the above observations and directions, this writ petition is disposed of.

JUDGE

Comparing Assistant