

GAHC010116272024



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

WP(C)/3503/2024

TOFISUDDIN SHEIKH AND 6 ORS
S/O MOHIR UDDIN
R/O VILL- KADAMTOLA
PART-II
P.O.-BILASIPARA
DIST- DHUBRI
ASSAM-783348

2: REAZUL HOQUE
S/O ANSAR ALI
R/O VILL- I.G. ROAD
P.O.-AM CO ROAD
DIST- DHUBRI
ASSAM-783323

3: ASHOK BARMAN
S/O LATE NAREN CHANDRA BARMAN
R/O VILL- SHYAMRAIPARA
P.O.-SALKOCHA
DIST- DHUBRI
ASSAM-783348

4: SOHIDUL ISLAM
S/O LATE SRIMAD ALI
R/O VILL- HARKATA
P.O.-HATIPUTA
DIST- DHUBRI
ASSAM-783348

5: APURBA TALUKDAR
S/O SURAMONI TALUKDAR

R/O VILL- SARTHEBARI
P.O.-SARTHEBARI
DIST- BARPETA
ASSAM-781307

6: PRADIP BHARALI
S/O LATE DHARMESWAR BHARALI
R/O VILL- JOGDUAR KAKOTI
P.O.-BONAI
DIST-JORHAT
ASSAM-785683

7: HARI CHANDRA DEKA
S/O KHITESWAR DEKA
R/O VILL- MATHANGA
P.O.-OUTOLA
DIST- DARRANG
ASSAM-784525
VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM
DEPARTMENT OF HOME
DISPUR
GUWAHATI-06

2:THE DIRECTOR GENERAL OF POLICE
ASSAM POLICE HEADQUARTERS
ULUBARI
GUWAHATI-781007

3:CHAIRMAN
STATE LEVEL POLICE RECRUITMENT BOARD
MAHADEVPUR
REHABARI
GUWAHATI-781008

4:THE SUPERINTENDENT OF POLICE
OFFICE OF THE SUPERINTENDENT OF POLICE
NAGAON
ASSAM

Advocate for : MR. R MAZUMDAR
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 3 ORS

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

19.08.2024

Heard Shri D. Deka, learned counsel for the petitioners. Also heard Shri J.K. Goswami, learned Addl. Senior Government Advocate, Assam.

2. The grievance raised in this petition is in connection with recruitment for filling up 145 numbers of posts of Constables (GD) in the Assam Industrial Security Force. The recruitment has been held under the aegis of the State Level Recruitment Board which had issued the advertisement on 13.12.2017. There was a stipulation for allotment of certain marks for the experience gained by the candidates as SPOs. For each qualifying year as SPO, 2 (two) marks were to be allotted to a maximum of 10 marks.

3. On the aspect of the marks to be allotted on that aspect, there have been a number of litigations, the lead case being WP(C)/3734/2022 [***Bikash Bania and 5 Ors. vs. State of Assam and 5 Ors.***] which were disposed of by a common order dated 10.05.2024. It was projected that for certificates of experience as SPOs where no period was specified, practice of allotting 2 (two) marks were done in the district of Kokrajhar. This Court being apprised of the same had directed that such standard practice should be adopted for the other districts also where no marks were given at all for such certificates. In terms of the said practice, the candidatures of the petitioners were examined.

4. This Court vide order dated 15.07.2024 while issuing notice, had directed that in the verification exercise, the petitioners should also be given an opportunity for their credentials to be verified.

5. Shri Goswami, the learned State Counsel, by referring to the written instructions dated 01.08.2024 has submitted that the candidatures of all the seven petitioners were verified and even after giving 2 (two) marks to the eligible three petitioners against the certificates, none of them could secure marks more than the cut-off stipulated. The written instructions are also accompanied by the breakup of the marks given to the respective petitioners which have been perused. The same was also handed over to the learned counsel for the petitioners for his perusal.

6. After perusal of the said instructions and the accompanying tabulation, this Court is of the opinion that no case for interference is made out and accordingly, the writ petition is dismissed.

7. A copy of the written instructions dated 01.08.2024 along with the enclosures are made part of the records.

JUDGE

Comparing Assistant