

GAHC010156422024



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

Case No. : WP(C)/3962/2024

DR. GEETASHREE BORI
D/O- MR. GOLABORI, R/O- BCPL TOWNSHIP, QUARTER NO- C 2/2 P.O./P.S.
BARBARUAH, DISTRICT- DIBRUGARH, ASSAM, PIN- 786007

VERSUS

ASSAM AGRICULTURAL UNIVERSITY AND ANR
JORHAT, REPRESENTED BY- THE VICE CHANCELLOR ASSAM
AGRICULTURAL UNIVERSITY, BARBHETA, JORHAT- 785013, ASSAM

2:THE REGISTRAR
ASSAM AGRICULTURAL UNIVERSITY
BARBHETA
JORHAT- 785013
ASSA

Advocate for the Petitioner : MS N SAIKIA, MRS. P GOSWAMI

Advocate for the Respondent : SC, AAU,

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

27-09-2024

Heard Ms. N. Saikia, learned counsel for the petitioner. Also heard Shri P. Katak, learned Standing Counsel, Assam Agricultural University.

This writ petition has been filed with the following observations:-

“In the premises aforesaid it is therefore most humbly prayed that Your Lordships would be pleased to admit this petition and issue a Rule calling upon the respondents to show cause as to why a writ in the nature of Mandamus and/or Certiorari and/or any other writ, order or direction should not be issued directing the respondent university authority to allow the petitioner to appear in the interview process for the post of Assistant Professor, Deptt. Of Family Resource, Management, AAU, by relaxing her over age limit and call for the records and on perusal of the records and hearing the parties make the rule absolute and direct the respondents to allow the petitioner to appear in the interview process for the post of Assistant Professor,

Deptt. Of Family Resource, Management, AAU, by relaxing her over age limit and/or pass such further order or orders as Lordships may deem fit and proper. Your

-AND-

During Pendency of the writ petition Your Lordships would be further pleased to stay the operation of the interview process to be held on 9/08/2024 at about 12 a.m. for the post of Assistant Professor, Deptt. Of Family Resource, Management, AAU, Jorhat and/or pass such further order or orders as Your Lordships may deem fit and proper.”

It however transpires that pursuant to an order dated 07.08.2024 passed by this Court in which the petitioner was directed to be permitted to appear in the recruitment process, she was indeed allowed to participate.

Shri Kataki, the learned Standing Counsel has submitted that after such participation, the relief prayed for has been exhausted and the writ petition has, in fact become infructuous.

On the other hand, Ms. Saikia, the learned counsel for the petitioner has submitted that she has apprehension that the higher qualification of the petitioner would be ignored in making the selection and candidate inferior to her on merits would be selected. The aforesaid submission would be on the realm of

speculation at the results are yet to be declared.

In view of the above, this Court is of the view that no live cause of action remains to be adjudicated and accordingly the writ petition is closed.

The authorities are at liberty to declare the results.

It is needless to state that if the petitioner is aggrieved by the same, she would have the liberty to approach the appropriate forum for redressal of her grievance.

JUDGE

Comparing Assistant