

GAHC010156492022



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

**Case No. : WP(C)/5262/2022**

PULAK BORUAH  
SON OF LATE SIDHIRAM BORUAH  
R/O WARD NO. 1 NARAYANPUR  
P.O. DIKRONG P.S. NARAYAN  
DIST. LAKHIMPUR, ASSAM

VERSUS

THE STATE OF ASSAM AND 6 ORS.  
REP. BY THE COMMISSIONER AND SECRETARY, GOVT. OF ASSAM,  
ELEMENTARY EDUCATION, DISPUR, GUWAHATI-6.

2:THE COMMISSIONER AND SECRETARY  
REP. BY THE GOVT. OF ASSAM  
FINANCE DEPARTMENT DISPUR GUWAHATI-6.

3:THE DIRECTOR ELEMENTARY EDUCATION ASSAM  
KAHILIPARA GUWAHATI-19

4:THE DEPUTY INSPECTOR OF SCHOOL  
LAKHIMPUR CIRCLE OFFICER  
DIST. DIBRUGARH ASSAM

5:THE DISTRICT ELEMENTARY EDUCATION OFFICER  
LAKHIMPUR ASSAM

6:THE BLOCK ELEMENTARY EDUCATION OFFICER  
NARAYANPUR ASSAM

7:THE MISSION DIRECTOR SARBA SIKSHA ABHIYAN MISSION  
ASSAM KAHILIPARA

**Advocate for the Petitioner : MR. P J SAIKIA, MS D DUTTA**  
**Advocate for the Respondent : SC, ELEM. EDU, SC, FINANCE**

**BEFORE  
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

**ORDER**

**Date : 02.08.2024**

Heard Mr. P. J. Saikia, learned counsel for the petitioner. Also heard Ms. S. Konwar, learned standing counsel, Elementary Education Department, appearing on behalf of all the respondents.

The petitioner by way of instituting the present proceeding, has raised a grievance with regard to the delay so occasioning in taking the process of recruitment initiated vide Advertisement, dated 28.02.2019, for the post of Junior Assistant in the Elementary Education Department, Government of Assam, to its logical conclusion.

The petitioner contends that he had submitted his candidature for the said post of Junior Assistant in terms of the said Advertisement, dated 28.02.2019. Thereafter, the petitioner was so issued with a call letter requiring him to appear for a written examination scheduled on 08.09.2019.

It is the contention of the petitioner that inspite of lapse of considerable period of time; the said recruitment process was not taken to its logical conclusion. The petitioner tried to receive information, as regards the status of the said recruitment process, however, such information was not disclosed to him by the respondent authorities. Accordingly, the petitioner has instituted the present proceedings requiring this Court to direct the respondent authorities to take the recruitment process involved to its logical conclusion.

It is to be noted that the petitioner, herein, in addition to the prayers made for an early conclusion of the recruitment process as initiated by the respondent authorities vide Advertisement, dated 28.02.2019; has also made prayers for regularization of his temporary service. However, the learned counsel for the petitioner, at the time of moving the present writ petition, had prayed that he would limit the reliefs sought in the present proceeding, to the relief pertaining to a direction upon the respondent authorities to take the recruitment process to its logical conclusion and the other 2 prayers for regularization of the services of the petitioner, were abandoned.

Today, Ms. Konwar, learned standing counsel, Elementary Education Department, on instructions, submits that the Government in the Elementary Education Department, vide a speaking order, dated 09.11.2021, had, for reasons mentioned therein, cancelled the recruitment process as initiated vide Advertisement, dated 28.02.2019.

In view of the above limited prayer made in the writ petition, as well as the stand now brought on record on behalf of the departmental authorities; this Court is of the considered view that no further adjudication would be called for in the present proceeding in view of the cancellation of the Advertisement, dated 28.02.2019, by the departmental authorities.

Accordingly, there being no further issue arising for adjudication in the present proceeding; the instant writ petition stands dismissed as having become infructuous.

Interim order, if any, stands vacated.

The copy of the communication, dated 08.11.2022, as produced by Ms. Konwar, learned standing counsel, Elementary Education Department, is kept as a part of the record and marked as 'X' for identification.

**JUDGE**

**Comparing Assistant**