

GAHC010176672023



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

Case No. : WP(C)/4629/2023

DR. DIPANKAR BARMAN
SON OF RUPDHAN BARMAN,
RESIDENT OF VILLAGE- LACHIMA,
POST OFFICE- SARTHEBARI,
POLICE STATION- SARTHEBARI,
DISTRICT- BARPETA, ASSAM,
PIN- 781307.

VERSUS

STATE OF ASSAM AND 4 ORS.
REPRESENTED BY COMMISSIONER AND SECRETARY TO GOVERNMENT
OF ASSAM,
JUDICIAL DEPARTMENT, E BLOCK,
2ND FLOOR, ASSAM SECRETARIAT,
DISPUR, GUWAHATI, ASSAM,
PIN- 781006.

2:THE GAUHATI HIGH COURT
REPRESENTED BY REGISTRAR GENERAL
GAUHATI HIGH COURT

GUWAHATI
DISTRICT- KAMRUP(M)

ASSAM
PIN- 781001.

3:THE REGISTRAR (VIGILANCE)
GAUHATI HIGH COURT
GUWAHATI
DISTRICT- KAMRUP(M)

ASSAM
PIN- 781001.

4:THE REGISTRAR (RECRUITMENT)
GAUHATI HIGH COURT
GUWAHATI
DISTRICT- KAMRUP(M)

ASSAM. PIN- 781001.

5:THE RECRUITMENT CELL
GAUHATI HIGH COURT
GUWAHATI
DISTRICT- KAMRUP(M)

ASSAM
PIN- 781001

Advocate for the Petitioner : MR S BORTHAKUR

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

**Date : 22/02/2024
*Vijay Bishnoi, CJ***

Heard Mr. S. Borthakur, learned counsel for the writ petitioner. We have also heard Mr. T.J. Mahanta, learned senior Standing Counsel, Gauhati High Court assisted by Ms. P. Sarma, learned counsel as well as Ms. R.B. Bora, learned Additional Senior Government Advocate, Assam, appearing for the respondents.

The petitioner, a Person with Benchmark Disability (PwBD) blind candidate has filed this petition raising a grievance that the respondents have illegally not provided any reservation for PwBD category in the Assam Judicial Service Grade-III Examination, 2023.

This Court vide order dated 01/08/2023 has allowed the petitioner to appear in the Mains examination of the Assam Judicial Service Grade-III Examination, 2023. However, it

was ordered that the result of the said mains examination shall not be declared without the leave of the Court. Later on, the said interim order was modified by the order dated 03/10/2023 and the respondent Gauhati High Court was permitted to proceed with the selection process for 17 out of 18 unreserved category of posts and other reserved category posts with a further direction that 1 (one) post of unreserved category shall be kept vacant. Meanwhile, the result of the mains examination has been declared. However, pursuant to the direction passed by this Court in the interim order, the result of the petitioner has not been declared.

This Court vide order dated 20/02/2024 directed the respondent High Court to produce the result of the petitioner of mains examination in sealed cover. Today, the result is produced before us and as per the same, the petitioner has failed to secure 60% in aggregate in paper 1st, 2nd, 3rd & 4th, in accordance with Rule 3(a) of Schedule 'B' of Assam Judicial Service Rules, 2023.

In view of the fact that the petitioner has failed to clear the main written examination, we are of the view that no relief can be granted to the petitioner in this writ petition. The same is, therefore, dismissed.

Interim order passed by this Court is hereby vacated.

Records produced by the Gauhati High Court be returned to it.

JUDGE

CHIEF JUSTICE

sukhamay

Comparing Assistant