

GAHC010178142024



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

Case No. : I.A.(Civil)/2644/2024
in
WP(C) 6046/2023

BUDDHADEV LAHARY
S/O JOJGEN LAHARY, R/O VILL. SEREN NEPALI, P.O. DEKAPAM, P.S.
SEMEN CHAPORI, PIN 787061

VERSUS

RANGJALU BASUMATARY AND 4 ORS
S/O- ROBIN BASUMATARY, R/O- VILL.- SEREN NAPALI, P.O. AND P.S.
SEREN NAPALI, DIST. DHEMAJI, ASSAM

2:THE STATE OF ASSAM

REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM
HIGHER EDUCATION
DISPUR
ASSAM

3:DIRECTOR OF HIGHER EDUCATION
KAHILIPARA
GUWAHATI-19.

4:REGISTRAR

GAUHATI UNIVERSITY GOPINATH BORDOLOI NAGAR
GUWAHATI-14.

5:PURBANCHAL COLLEGE

SILAPATHAR
REPRESENTED BY THE PRINCIPAL AND SECRETARY
DIST. DHEMAJI

ASSAM
PIN- 787061

Advocate for the Petitioner : J SHARMA, MR. P THAKURIA

Advocate for the Respondent : SC, HIGHER EDU, SC, G U,MS M ROY,MD. I AHMED,MR M RANA

BEFORE
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

11-09-2024

On creation of a post of Assistant Professor of Bodo in Purbanchal College, Silapather, Dhemaji, an advertisement for filling up of the said post was published on 08.11.2022, the applicant along with 7 others including the respondent No.1 participated in the said selection process that was held on 13.02.2023.

2) Thereafter, the respondent No.1 who was serving as a temporary Assistant Professor in the Department of Bodo (Elective) in said Purbanchal College, Silapather, Dhemaji on 09.10.2023 filed the connected writ petition, being WP(C) No. 6046/2023 challenging the selection to the post of Bodo in said Purbanchal College, Silapather, Dhemaji and for further direction to appoint him in the said post.

3) Heard Mr. J. Sharma, learned counsel for the applicant and Mr. M. Rana, learned counsel for the opposite party No.1/writ petitioner. Also heard Mr. S. Das, learned Standing Counsel, Higher Education Department for the opposite party Nos. 2 and 3 as well as Mr. P. J. Phukan, learned Standing Counsel, Gauhati University for the opposite party No. 4.

4) Mr. Sharma, learned counsel for the applicant submitted that in the connected WP(C) No. 6046/2023 preferred by the respondent No.1, the applicant has not been made a party respondent and though he was the first selected candidate for the post of Assistant Professor of Bodo in said Purbanchal College, Silapather, Dhemaji for which advertisement was published on 08.11.2023 and interview was held on 13.02.2023 and the Court in said WP(C) No. 6046/2023 while issuing notice to the respondents on 20.11.2023 in the interim issued an

order of status quo as on said date with regard to the service of the petitioner with the clear observation that no one shall be appointed in pursuant to the said advertisement dated 08.11.2022.

5) Hence, this application by the applicant for his impleadment as party respondent No. 5 in the connected WP(C) No. 6046/2023.

6) After hearing the learned counsel for the parties and considering the entire aspect of the matter, the Court is of the view that the applicant, namely, Sri Buddhadev Lahary, son of Jogen Lahary, resident of village – Seren Nepali, P.O.- Dekapam, P.S. – Simen Chapori, Pin No. 787061 be impleaded as party respondent No.5 in the connected WP(C) No. 6046/2023.

7) Registry shall accordingly, do the needful.

8) With the above observation and direction, this interlocutory application stands allowed.

JUDGE

Comparing Assistant