

GAHC010195302019



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

Case No. : WA/236/2019

1: PAPUL KR. NATH AND 6 ORS.
S/O- BHUMI KT. NATH, VILL.- THANASARUA,
P.O. SAPMARI, P.S. MIKIRBHATA, DIST.- MORIGAON, ASSAM.

2: TAIZUDDIN AHMED
S/O- TAMIZUDDIN AHMED VILL.- SARU CHAKABAHA
P.O. TAKUNABORI P.S. MIKIRBHETA DIST.- MORIGAON ASSAM.

3: KANAK NATH
S/O- KAMALESWAR NATH VILL.- SAPMARI
P.S. MIKIRBHETA DIST.- MORIGAON ASSAM.

4: MIRGENDRA KR. NATH
S/O- LATE LAKHESWAR NATH VILL. - SAPMARI
P.O. SAPAMARI P.S. MORIGAON DIST.- MORIGAON ASSAM.

5: PRANAB JYOTI MEDHI
S/O- PRABIN CH. MEDHI VILL.- CHATANGURI
P.O. KUMURAGURI P.S. AND DIST.- MORIGAON ASSAM.

6: DIPIKA BORDOLOI
D/O- LATE RAHEN BORDOLOI VILL.- LATHABORI
P.O. P.S. AND DIST.- MORIGAON ASSAM.

7: MD. JANMONI ALI
S/O- MAJIBUR RAHMAN VILL.- SAPMARI
P.S. AND DIST.- MORIGAON ASSAM

VERSUS

1: THE STATE OF ASSAM AND 3 ORS TO BE REP. BY THE COMMISSIONER
AND SECRETARY TO THE GOVT. OF ASSAM, FOREST DEPARTMENT,
DISPUR, GUWAHATI-6.

2:THE PRINCIPAL CHIEF CONSERVATOR OF FOREST AND HEAD OF FOREST FORCE ASSAM REHABARI GUWAHATI-8.

3:THE ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF FOREST ADMINISTRATION AND VIGILANCE AND CHAIRMAN SELECTION COMMITTEE.

4:THE PLANNING OFFICER
PCCF ASSAM REHABARI GUWAHATI-8

For the Appellant(s) : Mr. A.R. Bhuyan, Advocate.

For the Respondent(s) : Mr. I. Borthakur, Standing Counsel, Forest Department, for respondent Nos.1 to 4.

- B E F O R E -

HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE SUMAN SHYAM

27.02.2024

(Vijay Bishnoi, CJ)

The appellants herein filed the writ petition before the learned Single Judge essentially raising the grievance that the respondents had not provided reservation for SC/ST/ST(H)/OBC/MOBC category in the recruitment process for the post of Constables in the Assam Forest Protection Force in the advertisement dated 27.02.2009.

The learned Single Judge, vide order dated 18.07.2019 passed in WP(C) No.2061/2011, has refused to grant relief to the appellants while observing that if the select list dated 08.02.2011, published in the newspaper on 12.02.2011 in respect of appointment of the Constables in the Assam Forest Protection Force pursuant to the advertisement issued on 27.02.2009, is interfered with, it would have the effect of disturbing the appointments made to a large number of 702 selected candidates, who have put in around 8(eight) years of service.

Taking into consideration the overall facts and circumstances of the case and also taking into consideration the fact that the said selected candidates might have completed 13(thirteen) years of service till date, we are also not inclined to interfere with the matter. Hence, this writ appeal is dismissed.

JUDGE

CHIEF JUSTICE

Comparing Assistant