

GAHC010210272024



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

Case No. : WP(C)/5224/2024

ABDUL HASHEM AND 8 ORS.
DOB- 02-03-1974, S/O- ABDUL RAHMAN, R/O- VILL.- AND P.O. BAGADI, P.S.
AND DIST. BARPETA, ASSAM, PIN- 781311.

2: JINNAT ALI
DOB- 16-10-1967
S/O- LATE SORHAB ALI
R/O- VILL.- SALEKURA
P.S. JANIA
P.S. AND DIST. BARPETA
ASSAM
PIN- 781314.

3: MOIDUL ISLAM ASHRAFI
DOB- 01-01-1968
S/O- NISHAN ALI
R/O- VILL. AND P.O. KHOLABANDHA
P.S. KACHUMARA
DIST. BARPETA
ASSAM
PIN- 781127.

4: ABDUS SAMAD
DOB- 01-09-1968
S/O- LATE ABED ALI
R/O- VILL.- JOYPUR
P.O. AND P.S. HOWLY
DIST. BARPETA
ASSAM
PIN- 781316.

5: RANJAN DAS
DOB- 12-01-1968
S/O- LATE KALICHARAN DAS

R/O- VILL.- KARERTAL
P.O. SANTI NAGAR
PS. AND DIST. BARPETA
PIN- 781014.

6: BIPUL CHANDRA DAS
DOB- 01-02-1968
S/O- LATE ARJUN CHANDRA DAS
R/O- VILL.- DANGARKUCHI
P.O. SONKUCHI
P.S. AND DIST.- BARPETA
ASSAM
PIN- 781314.

7: AKTAB ALI
DOB- 01-01-1970
S/- LATE SADIMAN ALI
R/O- VILL.- CHENGA (MUSHALMAN GAON)
P.O. CHENGA
P.S. TARABARI
DIST. BARPETA
ASSAM
PIN- 781305.

8: JITU MONI KALITA
DOB- 24-07-1965
S/O- LATE DINO BHANDU KALITA
R/O- WARD NO. 17
GANDHI NAGAR
P.O.
P.S. AND DIST. BARPETA
ASSAM
PIN- 781301.

9: JOHORUL ISLAM
DOB- 24-11-1968
S/O- LATE JALA UDDIN AHMED
R/O- VILL.- NORTH BARPETA
NEAR SATRA GATE
P.O.
P.S. AND DIST. BARPETA
ASSAM
PIN- 781301

VERSUS

THE STATE OF ASSAM AND 2 ORS
THROUGH THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT

OF ASSAM AGRICULTURE DEPARTMENT, DISPUR, GHY-781006.

2:THE DIRECTOR OF AGRICULTURE
ASSAM
KHANAPARA
GHY-781022.

3:DISTRICT AGRICULTURE OFFICER
P.O.
P.S. AND DIST. BARPETA
ASSAM
PIN- 781301

Advocate for the Petitioner : MR B D DAS, MR. F A HASSAN

Advocate for the Respondent : SC. AGRICULTURE,

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 03/10/2024

Heard Mr. B.D.Das, learned senior counsel assisted by Mr. F.A. Hasan, learned counsel for the writ petitioners, who submits that his clients have been prevented from appearing in the Departmental examination scheduled to be held on 06/10/2024 for filling up the posts of AAI Class-II posts under the Department of Agriculture, although, they come within the zone of consideration.

Ms. R.Bora, learned Standing Counsel, Agriculture Department, Assam, on the other hand, submits on written instruction dated 01/10/2024 that the departmental examination will be held in two phases and every candidate, whose name is included in the gradation list, shall be given an opportunity to participate in the departmental examination.

From the submission of Ms. Bora, it is clear that the petitioners will also be allowed to participate in the second phase of the departmental examination, the date of which is yet to be notified.

If that be so, there is no good ground for this Court to entertain this writ petition at this stage. As such, on the request of Mr. Das, this writ petition stands disposed of on withdrawal with liberty to the petitioners to file afresh as and when proper cause of action arises.

JUDGE

sukhamay

Comparing Assistant