

GAHC010245752023



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

Case No. : I.A.(Civil)/3260/2023

THE CHIEF EXECUTIVE OFFICER
(GMDA), STATFED BUILDING, BHANGAGARH, GUWAHATI 781005, DIST-
KAMRUP (M), ASSAM

VERSUS

BISWAJIT NATH AND 3 ORS
S/O-KAMALESWAR NATH, R/O- HOUSE NO.45, JUGASHREE NAGAR,
SONAIGHULI ROAD, KAHILIPARA, GUWAHATI-19, DIST- KAMRUP (M),
ASSAM

2:MAMONI BARUAH
W/O-MODIT RANJAN GOGOI
R/O- FLAT NO. L-7
BRAHMAPUTRA HOUSING COMPLEX
BHETAPARA

GUWAHATI-28
DIST- KAMRUP (M)
ASSAM

3:POMPI CHOUDHURY
D/O-ASHWINI KUMAR CHOUDHURY
R/O- NATUN NAGAR (NEAR TV TOWER)
INDRAPUR
GUWAHATI-32
DIST- KAMRUP (M)
ASSAM

4:SUDIPTA PRASAD SARMA
S/O-AMBIKA PRASAD SARMA
R/O- HOUSE NO.179

OPPOSITE NAGALAND HOUSE
CHACHAL ROAD
SIXMILE
GUWAHATI-22
DIST- KAMRUP (M)
ASSA

Advocate for the Petitioner : MR. S BORA

Advocate for the Respondent : MR. K N CHOUDHURY

Linked Case : WP(C)/2252/2022

BISWAJIT NATH AND 3 ORS
S/O-KAMALESWAR NATH
R/O- HOUSE NO.45
JUGASHREE NAGAR
SONAIGHULI ROAD
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R/O- HOUSE NO.179
OPPOSITE NAGALAND HOUSE
CHACHAL ROAD
SIXMILE
GUWAHATI-22
DIST- KAMRUP (M)
ASSAM
VERSUS

THE GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY AND 2 ORS
REPRESENTED BY THE CHAIRMAN
STATFED BUILDING
BHANGAGARH
GUWAHATI 781005
DIST- KAMRUP (M)
ASSAM

2:THE CHIEF EXECUTIVE OFFICER
(GMDA)
STATFED BUILDING
BHANGAGARH
GUWAHATI 781005
DIST- KAMRUP (M)
ASSAM

3:THE SECRETARY
(GMDA)
STATFED BUILDING
BHANGAGARH
GUWAHATI 781005
DIST- KAMRUP (M)
ASSAM

Advocate for : MR. K N CHOUDHURY
Advocate for : SC
G M D A appearing for THE GUWAHATI METROPOLITAN DEVELOPMENT
AUTHORITY AND 2 ORS

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

19.01.2024

Heard Mr. S. Bora, learned Standing Counsel, GMDA and Mr. K.N. Choudhury, learned Sr. Counsel assisted by Mr. N. Gautam, learned counsel

appearing on behalf of the writ petitioner.

This is an application seeking leave of the Hon'ble Court to publish the final result of the selection process of Assistant Engineer, Assistant Architect, Junior Engineer, Junior Engineer (Architecture) for the office of the Guwahati Metropolitan Development Authority.

This Court vide order dated 30.03.2022, passed in WP(C) Nos.2252/2022 with WP(C) No. 2307/2022, while issuing notice in the writ petitions filed by the petitioner, was pleased to direct that the final result of the selection process shall not be published without leave of the Court. The selection process having been completed, the applicant has now filed the instant leave application.

Mr. K.N. Choudhury, learned Sr. Counsel submits that in the meantime, the office of the GMDA by notification dated 19.10.2023 has taken a decision to regularize the contractual/casual employees of GMDA except that those employees will not be entitled to any grant of pensionary benefits.

A copy of the said notification dated 19.10.2023 has been placed on record by Mr. S. Bora, learned Standing Counsel, GMDA.

In view of the said notification, Mr. K.N. Coudhury, learned Sr. Counsel prays that the issues raised in the writ petition has already been met with except that of the pensionary benefits of the writ petitioners and as such, prays that the said issue may be kept open in the connected writ petition.

In view of the above, there is no justification to withhold the subject select list. As such, the order dated 30.03.2022 passed in WP(C) Nos.2252/2022 with WP(C) No. 2307/2022 is modified to the extent that the final result of the selection process shall be published.

Accordingly, the I.A. stands allowed granting leave to the applicant to

publish the result of the selection process dated 11.03.2022 for Assistant Engineer, Assistant Architect, Junior Engineer, Junior Engineer (Architecture) for the office of the Guwahati Metropolitan Development Authority.

The I.A. stands disposed off.

JUDGE

Comparing Assistant