

GAHC010262212023



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

Case No. : WP(C)/6759/2023

MD. ABDUL KALAM AZAD
SON OF LATE YAKUB ALI, RESIDENT OF VILLAGE- URALKATA PATHAR,
POST OFFICE- SAHARIAGAON, DISTRICT- MORIGAON, ASSAM, PIN-
782126

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY, REVENUE AND DISASTER
MANAGEMENT DEPARTMENT, ASSAM SECRETARIAT, DISPUR,
GUWAHATI- 781006, DISTRICT- KAMRUP (M), ASSAM

2:THE DIRECTOR OF LAND RECORDS AND SURVEYS ETC.
ASSAM
RAJAH BHAWAN
RUPNAGAR
GUWAHATI- 781032
DISTRICT- KAMRUP (M)
ASSAM

3:THE ASSAM SURVEY AND SETTLEMENT TRAINING CENTRE
GOVERNMENT OF ASSAM
REPRESENTED BY ITS PRINCIPAL
RAJAHNAGAR
DAKHINGAON
POST OFFICE- SAWKUCHI
GUWAHATI- 781040
DISTRICT- KAMRUP (M)
ASSAM

4:DEPUTY COMMISSIONER
MORIGAON

MORIGAON
PIN- 782105
ASSA

Advocate for the Petitioner : MR. A. BARUAH, MR. I KALITA

Advocate for the Respondent : MR. S. DUTTA, SC, REVENUE
MR. J. K. GOSWAMI, GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 05-01-2024

Heard Mr. A. Baruah, learned counsel appearing on behalf of the petitioner. Also heard Mr. S. Dutta, learned counsel appearing for respondent Nos. 1, 2 and 3 as well as Mr. J. K. Goswami, learned counsel appearing for respondent No. 4.

2. The instant writ petition has been filed by the petitioner being aggrieved by the delay caused by the respondent authorities in making recruitment to the post of Lat Mandal (presently known as "Land Record Assistant") in terms with the Assam Land Records Subordinate Service Rules, 2023 (hereinafter referred to as "Service Rules of 2023"). It is the case of the petitioner that the petitioner, on account of the inaction on the part of the respondent authorities to carry out the recruitment process, has already crossed the maximum age limit prescribed for the said post, for which the present writ petition has been filed with a prayer to issue direction to the respondent authorities to consider the case of the petitioner for relaxation of age in terms of Rule 26 of the Service Rules of 2023.

3. This Court, upon hearing the learned counsel appearing on behalf of the parties, is of the opinion that as no recruitment process has yet been initiated, passing any direction at this stage would be premature and also would not be in

the interest of justice. Under such circumstances, this Court is not inclined to entertain the instant writ petition at this stage.

4. Be that as it may, the petitioner, however, would be at liberty to approach this Court as and when any recruitment process is initiated and if the petitioner's representation for relaxation of age is not duly considered.

5. The writ petition stands disposed of in terms of the above.

JUDGE

Comparing Assistant