

GAHC010264372024



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

Case No. : I.A.(Civil)/3943/2024

DR. RUHUL AMIN
S/O- LATE HAZRAT ALI,
R/O- AZAN NAGAR (IN FRONT OF E AND D OFFICE)
WARD NO-7, P.O- GOALPARA, DIST- GOALPARA, ASSAM ,PIN-783101

VERSUS

THE STATE OF ASSAM AND 8 ORS.
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
HIGHER EDUCATION DISPUR, GUWAHATI-6

2:THE DIRECTOR HIGHER EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19

3:THE UNIVERSITY GRANTS COMMISSION (UGC)
REPRESENTED BY ITS SECRETARY
BAHADUR SHAH JAFAR MARG
NEW DELHI -110002.

4:THE GAUHATI UNIVERSITY
REPRESENTED BY THE VICE-CHANCELLOR
JALUKBARI
GUWAHATI -781014.

5:THE SELECTION COMMITTEE
FOR SELECTION OF THE PRINCIPAL OF WEST GOALPARA COLLEGE
BALARBHITA
GOALPARA
REPRESENTED BY THE MEMBER SECRETARY
P.O.BALARBHITA
DIST. GOALPARA
ASSAM
PIN-783129

6:THE GOVERNING BODY
OF WEST GOALPARA COLLEGE
REPRESENTED BY THE PRESIDENT
P.O.BALARBHITA
DIST. GOALPARA
ASSAM
PIN-783129

7:DR. MANISHA BHATTACHARYYA
D/O- MADAN CH. BHATTACHARYYA
R/O- LARICA GREEN VALLEY
NEAR DON BOSCO UNIVERSITY
AZARA
BLOCK NO-9
FLAT NO-405
P.O- AZARA
DIST- KAMRUP (M)
ASSAM
PIN-781015

8:SHEIKH FARUK AHMED
PRINCIPAL OF MANDIA ANCHALIK COLLEGE
P.O- MANDIA
DIST- BARPETA
ASSAM
PIN- 781308.

9:MOYNUL HOQUE
ASSOCIATE PROFESSOR AND HEAD OF THE DEPTT. OF HISTORY
GURUCHARAN COLLEGE
SILCHAR
DIST- CACHAR
ASSAM
PIN- 788004

Advocate for the Petitioner : MR. K I MAZUMDER, MR. K I MAZUMDER

Advocate for the Respondent : SC, HIGHER EDU, SC, U G C, SC, G U, MR. M K CHOUDHURY (r-7), MR. A BARKATAKI (r-7), MR P BHARDWAJ (r-5,6)

**BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

Date : 19.12.2024

Heard Mr. J. Abedin, learned counsel for the applicant-writ petitioner; Ms. I. Das, learned counsel representing Mr. D. Upamanyu, learned Standing Counsel, Higher Education Department for the opposite party nos. 1 & 2; Mr. A. Lahkar, learned counsel appearing on behalf of Mr. A. Chamuah, learned Standing Counsel, UGC for the opposite party no. 3; and Mr. P.J. Phukan, learned Standing Counsel, GU for the opposite party no. 4. None has appeared for the opposite party nos. 5, 6 & 7 today despite call though their names are reflected in the cause-list.

2. The opposite party nos. 8 & 9 have not appeared though it is reflected from the Order dated 13.08.2024 of the Lawazima Court that the service of notice upon the opposite party nos. 8 & 9 is complete.

3. This application is preferred by the applicant, who is the writ petitioner in the connected writ petition, W.P.[C] no. 6080/2022, seeking change of address in respect of the party-respondent no. 9 – opposite party no. 9, as mentioned in Paragraph 8 of the application. The applicant-writ petitioner has also sought insertion of four new Paragraphs as Paragraph nos. 21 [a], 21 [b], 21 [c] & 21 [d] in between Paragraph 21 and Paragraph 22 in the accompanying writ petition, as reflected in the Paragraph 9 of the application. The applicant-writ petitioner has also sought insertion of an additional prayer, as extracted in Paragraph 10 of the instant application.

4. It has been averred that if the correction in the address of the respondent no. 9 – opposite party no. 9, amendments in the form of additional four paragraphs and insertion of an additional prayer are not allowed, the applicant-writ petitioner is likely to suffer irreparable loss.

5. The prayer made in this application seeking correction / amendment / insertion is not objected to by the learned counsel appearing for the opposite parties.

6. Having regard to the statements and averments made in this application, more particularly, the prayer for change in the address of the opposite party-respondent no. 9, insertion of Paragraph nos. 21 [a], 21 [b], 21 [c] & 21 [d] and insertion of the new prayer, this Court is of the view that the application is to be allowed in order to enable the applicant-writ petitioner to project his case in the right and proper perspective. Accordingly, the instant application is allowed.

7. The applicant-writ petitioner shall file an amended writ petition on or before 07.01.2025.

JUDGE

Comparing Assistant