

GAHC010266462022



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

Case No. : WP(C)/8297/2022

DR. JYOTI GOGOI
C/O SURJYA KR. GOOGI VILL. HILOIDARI NO. 1 P.O. DIGHALA HILOIDARI
P.S. DHAKUAKHANA DIST. LAKHIMPUR ASSAM PIN-787055

VERSUS

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

2:THE ADDITIONAL SECRETARY
TO THE GOVT OF ASSAM EDUCATION (HIGHER) DEPTT. DISPUR
GUWAHATI-6

3:THE DIRECTOR OF HIGHER EDUCATION
ASSAM
KAHILIPARA GUWAHATI-19

4:THE GOVERNING BODY OF DULIAJAN COLLEGE
DULIAJAN
REP. BY ITS PRESIDENT P.O. DULIAJAN DIST. DIBRUGAH ASSAM PIN-
786602

5:THE PRINCIPAL CUM SECRETARY OF DULIAJAN COLLEGE
P.O. DULIAJAN DIST. DIBRUGARH ASSAM PIN-786602

6:THE DIRECTOR OF MEDICAL EDUCATION
SIXMILE KHANAPARA GUWAHATI PIN-781022

7:THE CHAIRMAN
DISTRICT MEDICAL BOARD AND JOINT DIRECTOR OF HEALTH SERVICES
LAKHIMPUR NORTH LAKHIMPUR 787001

8:THE PRINCIPAL CUM CHIEF
SUPERINTENDENT GAUHATI MEDICAL COLLEGE AND HOSPITAL
GUWAHATI-781032

9:THE MEDICAL BOARD
CONSTITUTED FOR PHYSICAL VERIFICATION OF SELECTED PWD
CANDIDATES FOR APPOINTMENT IN THE POST OF ASSISTANT
PROFESSOR/LIBRARIAN IN VARIOUS PROVINCIALISED COLLEGES REP
BY ITS CHAIRMAN GAUHATI MEDICAL COLLEGE AND HOSPITAL
GUWAHATI-78103

Advocate for the Petitioner : MRS. R DEVI

Advocate for the Respondent : SC, HIGHER EDU

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 24.06.2024

Heard Ms. R. Devi, learned counsel for the petitioner, and Mr. D. Upamanyu, learned standing counsel, Health & Family Welfare Department.

Mr. Upamanyu, learned standing counsel, Health & Family Welfare Department, has submitted that an additional affidavit on behalf of the said respondents have been filed in the matter today and therein, it is contended that the GMCH authorities on a re-evaluation of the petitioner, has come to a conclusion that the disability as possessed by the petitioner, herein, now is to the extent of 48.55%. Accordingly, the petitioner comes within the prescribed benchmark disability level, for being appointed against the post to which she was so selected.

The above being the position, the authorities in the Health & Family Welfare Department, Government of Assam, shall, within a period of 15(fifteen) days from today intimate the Director, Higher Education Department, Assam, about the result of the re-evaluation examination as carried-out with regard to the disability as possessed by the petitioner, herein.

The Director, Higher Education Department, Assam, on receipt of the same and if such disability of the petitioner is found to be within the benchmark prescribed, shall proceed to appoint the petitioner against the post to which she was so selected.

The entire exercise as now required to be carried-out in terms of the directions passed by this Court hereinabove, shall be initiated and completed by the Health & Family Welfare Department, Government of Assam, as well as the Director, Higher Education Department, Assam, within a period of 2(two) months from the date of receipt of a certified copy of this order.

With the above directions and observations, this writ petition stands disposed of.

JUDGE

Comparing Assistant