

GAHC010294612023



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

Case No. : I.A.(Civil)/2/2024

SAMAYOUN ALI,
S/O BABAR ALI, R/O VILLAGE DHAKUA, P.O. DHAKUA, P.S. BARPETA,
DIST. BARPETA, ASSAM, PIN 781309.

VERSUS

SHAHIDUL ISLAM AND 5 ORS
S/O- LT. HAZARAT ALI, VILL- MAILKUCHI, PO- DHOKUA, PS- BARPETA,
DIST- BARPETA (ASSAM), PIN- 781309.

2:THE STATE OF ASSAM

REPRESENTED BY THE COMMISSIONER AND SECRETARY
DEPARTMENT OF REVENUE AND DISASTER MANAGEMENT.

3:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF REVENUE AND DISASTER MANAGEMENT
GOVT. OF ASSAM
DISPUR

GHY-06.

4:THE DEPUTY COMMISSIONER
BARPETA
ASSAM.

5:THE ADDL. DEPUTY COMMISSIONER
BARPETA
ASSAM.

6:THE CIRCLE OFFICER
BARPETA REVENUE CIRCLE

DIST- BARPETA
ASSAM

Advocate for the Petitioner : MR D BARMAN

Advocate for the Respondent : SC, REVENUE

Linked Case : WP(C)/5349/2023

SHAHIDUL ISLAM
S/O- LT. HAZARAT ALI

VILL- MAILKUCHI

PO- DHOKUA

PS- BARPETA

DIST- BARPETA (ASSAM)

PIN- 781309.

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY

DEPARTMENT OF REVENUE AND DISASTER MANAGEMENT.

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BARPETA REVENUE CIRCLE
DIST- BARPETA
ASSAM.

Advocate for : MR. B K DAS
Advocate for : SC
REVENUE appearing for THE STATE OF ASSAM AND 4 ORS.

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 02/02/2024

Heard Mr. D. Barman, learned counsel for the applicant. Also heard Mr. J. Handique, learned Standing Counsel, Revenue and DM Department, Assam, appearing for the opposite party no. 2 and Ms. A. Talukar, learned Government Advocate, Assam, appearing for the opposite party nos. 3 to 6. None has appeared for the opposite party no.1/writ petitioner although the name of the learned counsel is shown in the cause list.

The order dated 22/01/2024 passed by this Court goes to show that the learned counsel for the opposite party/writ petitioner was absent even on the last occasion when the matter was posted before this Court.

Be that as it may, the opposite party no.1/writ petitioner has approached this Court by filing WP(C) 5349/2023 seeking a Writ of Mandamus for his appointment as Gaon Pradhan of Charge No. 3 of Barpeta Mouza under Barpeta Revenue Circle in the district of Barpeta, on the ground that despite his selection, no order of appointment has been issued till today.

The applicant on the other hand, has approached this Court seeking his impleadment as a respondent in the writ petition by contending that it is due to the complaint/appeal filed by the applicant before the competent authority that the process of appointment of the writ petitioner has been stalled and, therefore, he is a necessary party in the writ petition.

The learned counsel for the opposite parties have not opposed the prayer made in the IA.

In view of the above and considering the grounds stated in the IA, the prayer for impleadment is allowed.

The applicant is impleaded as respondent no. 6 in the connected writ petition.

Applicant to file amended cause title in the writ petition.

Registry to list the writ petition for order thereafter.

IA stands disposed of.

JUDGE

sukhamay

Comparing Assistant