GAHC010033222026

2026:GAU-AS:11498

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

Case No. : MC/7/2026

SRI ARUP DAS
S/O- KUMUD DAS, R/O VILL. and P.O.- ARARRA, DIST.- NALBARI, ASSAM, PIN- 781334.

VERSUS

THE UNION OF INDIA
REPRESENTED BY THE SECRETARY, MINISTRY OF HOME AFFAIRS, NEW DELHI-110001 DISPUR, GUWAHATI,

2:THE STAFF SELECTION COMMISSION
THROUGH SECRETARY
STAFF SELECTION COMMISSION
BLOCK NO. 12 CGO COMPLEX
LODHI ROAD
NEW DELHI- 110003

3:THE REGIONAL DIRECTOR (NER)

STAFF SELECTION COMMISSION
HOUSEFED COMPLEX
WEST END BLOCK
LAST GATE
BELTOLA BASISTHA ROAD
GUWAHATI
ASSAM
PIN- 781006.

4:THE DIRECTOR GENERAL
BORDER SECURITY FORCE
BLOCK NO.-10
CGO COMPLEX

LODHI ROAD
NEW DELHI
PIN NO.- 110003.

5:THE DIRECTOR GENERAL

SASHATRA SEEMA BAL
FORCE HEAD QUARTERS
EAST BLOCK-V
R.K. PURAM
NEW DELHI
PIN NO.-110066.

6:THE DIRECTOR GENERAL ASSAM RIFLES

SHILLONG
MEGHALAYA
PIN- 793011.

7:THE PRESIDING OFFICER
R.M.E. SSC RALLY- 2015-2016 C/O- ASSAM RIFLES
COMPOSITE HOSPITAL DIMAPUR
SUKHOVI
NAGALAND
PIN-7971

Advocate for the Petitioner : MS J BEZBARUAH, MR N C K HAZARIKA

Advocate for the Respondent : MR. S K MEDHI,

BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE

ORDER

Date : 14-08-2026

Heard Ms. J. Bezbaruah, learned counsel for the applicants as well as Ms. R. Dutta, learned counsel appearing on behalf Mr. S.K. Medhi, learned CGC for the Union of India.

2. This Misc application has been filed for restoration of the

WP(C)/6613/2016, which was dismissed for non-representation on 29.01.2026.

3. This Court on 19.06.2026 had the prima facie view of not inclined to restore the matter as it appeared to the Court that no fruitful order can be passed in view of the fact that the process of selection to the post of Constable (GD) was in pursuance to the advertisement dated 24.01.2015 and the finding of the Review Medical Board, which the petitioner has stated to be aggrieved, is of 06.09.2016.

4. This Court is also of the view that it may not be possible to grant relief to the petitioner/applicant if at all, at this distant point of time, as the selection process is of 2015-2016, a lapse of 10 years, that too for recruitment to the post Constable (GD). However, considering the submissions of Ms. J. Bezbaruah, learned counsel for the petitioner to the extent that she be given an opportunity to address this Court on the merit of the matter, for which she prays for restoration of the writ petition to file.

5. As the writ petition has been dismissed for non-prosecution on the default of the counsel, who could not appear on the date of listing of the matter and in view of the fact that new set of counsel were engaged as well as considering that the respondent raises no objection for restoration of the writ petition, I am of the considered view that a chance to address the matter on merit is required to be given to the petitioner for the interest of justice.

6. Accordingly, writ petition be restored to file. Consequently, the order dated 29.01.2026 passed in WP(C)/6613/2016 is recalled.

7. Misc Case stands allowed and disposed of.

JUDGE

Comparing Assistant