GAHC010063422020

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

Case No. : WP(C) 2979/2020

1:CHAYAN GOGOI AND ANR.
D/O- LT. DHONESWAR GOGOI, R/O- H.NO. 13, ASOMI PATH, 1ST FLOOR, MATHURANAGAR, NEAR DOWNTOWN HOSPITAL, DISPUR, DIST.- KAMRUP (M), PIN- 781006

2: DEBAHUTI BAISHYA
D/O- KARUNA KANTA BAISHYA
KRISHNA KANTA HANDIQUE NAGAR
KAHILIPARA
P.S. DISPUR
P.O. KAHILIPARA
KAMRUP (M)
ASSAM
DIST.- KAMRUP (M)
GHY-1

VERSUS

1:THE STATE OF ASSAM AND 2 ORS.
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM,
PANCHAYAT AND RURAL DEVELOPMENT ASSAM, DISPUR, GHY-6

2:THE COMMISSIONER OF PANCHAYAT AND RURAL DEVELOPMENT
ASSAM
JURIPAR
PANJABARI
GHY-37
KAMRUP (M)
ASSAM

3:THE DY. COMMISSIONER
LAKHIMPUR
ASSAM

Advocate for the Petitioner : MR. S BORA

Advocate for the Respondent : GA, ASSAM

Linked Case : WP(C) 4274/2018

1:SIKHA SARMAH AND 10 ORS.
D/O. MR. PRANAB KUMAR SARMAH
R/O. KENDRIYA VIDYALAYA SANGATHAN
STAFF COMPUS
JAWAHAR NAGAR
KHANAPARA
GUWAHATI
DIST. KAMRUP (M)
ASSAM.

2: PRATISHAA DUTTA

D/O. MR. MADAN CHANDRA DUTTA
R/O. HOUSE NO.31
BYE LANE NO.1
KAILASHPUR
JALUKBARI
GUWAHATI
DIST. KAMRUP (M)
ASSAM.

3: DEBANANDA BHARALI

S/O. LT. UPEN BHARALI
VILL. GHANHI GAON
P.O. GHILAMARA
P.S. GHILAMARA
DIST. LAKHIMPUR
ASSAM

4: KABIN DAS

S/O. LT. SIDDHESWAR DAS
KAHILIPARA
DAKHINGAON
KARGIL PATH

P.O. KAHILIPARA
P.S. DISPUR
DIST. KAMRUP (M)
ASSAM

5: CHINMOY KALITA

S/O. MR. JUKTI PRASAD KALITA
R/O. HOUSE NO. 301
J.B. ROAD
KOLONGPAR AMOLAPATTY
WARD NO. 7
P.O. NAGAON
P.S. NAGAON SADAR
DIST. NAGAON
ASSAM.

6: SURAJIT DEKA

S/O. MR. RAJEN DEKA
VILL. BARUATI GAON
P.O. SONARI GAON
DIST. NAGAON
ASSAM

7: PULAK JYOTI SUTAR

S/O. LT. NABIN CHANDRA SUTAR
VILL. BONGSHAR NEAR SANPARA L.P. SCHOOL
P.O. BONGSHAR
P.S. SUALKUCHI
DIST. KAMRUP (M)
ASSAM

8: NEELKAMAL KUMAR

S/O. MR. KANAK KUMAR DAS
R/O. BHARALIPARA AZARA
NEAR A ONE BAKERY
DIST. KANRUP (M)
ASSAM.

9: KABITA MALA GOGOI

D/O. LT. UMA KANTA GOGOI
R/O. VILL. C/O. BINA GOGOI BORBORA
VILL. CHANDRAPUR
P.O. BOKAJAN

P.S. BOKAJAN
DIST. KARBI ANGLONG
ASSAM

10: SUBHASH DAS

S/O. LT. BIRENDRA KUMAR DAS
VILL. BORDUBIA
BIHAGURI
TEZPUR
P.O. PITHAKHOWA
DIST. SONITPUR
ASSAM

11: LINAKSHI SARMA

D/O. MR. HEMANTA KUMAR SARMA
R/O. HOUSE NO.2
CHATURBHUJ PATH
JAYANAGAR SIX MILE
KHANAPARA
GUWAHATI
DIST. KAMRUP (M)
ASSAM
VERSUS

1:THE STATE OF ASSAM AND 2 ORS.
REP. BY THE COMM. AND THE SECY.
PANCHAYAT AND RURAL DEVELOPMENT DEPTT.
JURIPAR
PANJABARI
DIST. KAMRUP (M)
ASSAM

2:THE DIRECTOR
PANCHAYAT AND RURAL DEVELOPMENT DEPTT.
JURIPAR
PANJABARI
DIST. KAMRUP (M)
ASSAM

3:BLOOM ELECTRONIC PVT. LTD.
REP. BY THE DIRECTORS
SUNDARAM AND SHANMUGA KARTHIKEYAN
365 BHARATHIYAR ROAD NEW SIDHAPUDUR
COIMBATORE/TAMIL NADU-641044

Advocate for the Petitioner : DR ANKIT TODI

Advocate for the Respondent : GA
ASSAM

Linked Case : WP(C) 1972/2019

1:BASANTA SARMA AND 3 ORS.
S/O. DEBENDRA NATH SARMA
R/O. VILL. PACHARIA
P.O. PACHARIA
P.S. HAJO
DIST. KAMRUP(R)
ASSAM.

2: SABITA TALUKDAR
S/O PADMA
TALUKDAR R/O. VILL.
JAGARA P.O. JAGARA
P.S. BELSOR
DIST. NALBARI
ASSAM

3: GUNAJIT TALUDKAR
S/O. PADMA RAM TALUKDAR
R/O. VILL. AND P.O. JAGARA
P.S. BELSOR
DIST. NALBARI
ASSAM.

4: DHARMEDNRA DAS
S/O. DEBESH CHANDRA DAS
R/O. VILL. RAMRAIKUTI PART-I
P.O. SATRASAL
P.S. AGOMANI
DIST. DHUBRI
ASSAM.
VERSUS

1:THE STATE OF ASSAM AND 4 ORS.
REP. BY THE COMMISSIONER AND SECRETARY
PANCHAYAT AND RURAL DEVELOPMENT ASSAM
DISPUR
GUWAHATI-06.

2:THE COMMISSIONER AND SECRETARY
PANCHAYAT AND RURAL DEVELOPMENT ASSAM

DISPUR
GUWAHATI-06.

3:THE DIRECTOR
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
JURIPAR
PANJABI
DIST. KAMRUP(M)
ASSAM.

4:THE JOINT SECRETARY
TO THE GOVT. OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT
ASSAM GUWAHATI-06.

5:THE JOINT DIRECTOR
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
DISPUR
GUWAHATI-06.

Advocate for the Petitioner : MR. A A R KARIM
Advocate for the Respondent : SC
PNRD

Linked Case : WP(C) 3418/2019

1:JIAUR RAHMAN MONDAL
S/O- JAHAN UDDIN MONDAL
P.O. VILL- NARARBHITAPT IV
P.O. BANGOPANI
DIST- BONGAIGAON
PIN- 783384

VERSUS

1:THE STATE OF ASSAM AND 4 ORS.
REP. BY THE COMM. AND SECY.
PANCHAYAT AND RURAL DEVELOPMENT DEPTT.
ASSAM
DISPUR
GHY-06

2:THE COMM.. AND SECY.
TO THE GOVT. OF ASSAM FINANCE DEPTT.
DISPUR

GHY-06

3:THE DIRECTOR
PANCHAYAT AND RURAL DEVELOPMENT DEPTT.
JURIPAR
PUNJABARI
DIST- KAMRUP (M)
ASSAM

4:THE JOINT SECRETARY
TO THE GOVT. OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT DEPTT.
ASSAM
GHY-6

5:THE JOINT DIRECTOR
PANCHAYAT AND RURAL DEVELOPMENT DEPTT.
DISPUR
GHY-06

Advocate for the Petitioner : MS J RAJKUMARI
Advocate for the Respondent : SC
PNRD

Linked Case : WP(C) 5081/2019

1:RITU BIKASH BORA AND 20 ORS.
S/O. LT. GANGADHAR BORA
R/O. LAKHIMINAGAR
JAPORIGOG
GUWAHATI
GUWAHATI-781005
DIST. KAMRUP (M)
ASSAM.

2: MEHBUB HUSSAIN PRODHANI

S/O. ABDUL JALIL PRODHANI
VILL. BIDYA PARA BHATI GAON
P.O. A.M CO. ROAD DHUBRI
PIN-783323
DIST. DHUBRI
ASSAM.

3: ANOWAR HUSSAIN

S/O. ABDUL MANNAF MIAH
R/O. VILL. KATHALBARI
P.O. AND P.S. BAGRIBARI
PIN-783349
DIST. KOKRAJHAR
ASSAM.

4: SWADI SHEIKHUL
ALOM S/O. ROFIQUL
ALOM VILL. AND P.O.
KALAPANI P.S.
MANKACHAR PIN-783135
DIST. SOUTH SALMARA
MANKACHAR ASSAM.

5: AMINUL ISLAM
S/O. SHAHEN ALI
VILL. ROGHUPARA
P.O. FEKAMARI
P.S. SOUTH SALMARA
PIN-783135
DIST. SOUTH SALMARA
ASSAM.

6: SHAFKET RANA AHMED

S/O. MONOWAR ALI AHMED
VILL. FAKIRANIRJHAR PT-II
P.O. BARKANDA
P.S. BILASIPARA
PIN-783348
DIST. DHUBRI
ASSAM.

7: ANJUMAN AKHTARY
S/O. LT. ABI ABDULLAH
R/O. HOQUE NAGAR
DHUBRI
WARD NO.14
P.O. A.M. CO.
ROAD P.S. DHUBRI
PIN-783323
DIST. DHUBRI
ASSAM.

8: ABU HUSSAIN SHAH
S/O. SAFIOR RAHMAN SARKAR
R/O. VILL. BERBHANGI PT-III

P.O. DIMAKURI
P.S. GOLUKGANJ
PIN-783334
DIST. DHUBRI
ASSAM.

9: RAKIBUL HOQUE
S/O. AMINAL HOQUE
VILL. JOGIRMAHAL PT-
I P.O. GHASHBARI
P.S. BILASIPARA
PIN-783348
DIST. DHUBRI
ASSAM.

10: ABDUL DAKER MONDAL

S/O. AJIT MONDAL
VILL. CHANGBANDHA KUTI
P.O. BAGRIBARI
P.S. GAURIPUR
P.S. GAURIPUR
PIN-783349
DIST. DHUBRI
ASSAM.

11: KHADIZA KHATUN
D/O. NURMAHMMAD ALI
R/O. HATIPOLA PART-1
P.O. HATIPOLA
P.S. CHAPAR
PIN-783348
DIST. DHUBRI
ASSAM.

12: MONMITA SARKAR
D/O. NABIN SARKAR R/O.
VILL. GHRABANDHA P.O.
AND P.S. CHAPAR PIN-
783371
DIST. DHUBRI
ASSAM.

13: MANJU RANI BRAHMA
D/O. KALICHARAN BRAHMA
R/O. HOUSE NO. 12
MATHURA BORO PATH
CHANDAN NAGAR

NAGORIK PATH
BARSAJAI
GUWAHATI
PIN-781028
DIST. KAMRUP (M)
ASSAM.

14: PALABI MEDHI
D/O. BHUPEN MEDHI
R/O. 2 NO. MATHGHARIYA NEAR NOONMATI
FLYOVER P.O. NOONMATI
GUWAHATI
PIN-781020
DIST. KAMRUP (M)
ASSAM.

15: NILOTPAL KALITA
D/O. DHARANI DHAR KALITA
R/O. WARD NO.24
BAKHRABARA PT-II
P.O. BONGAIGAON
PIN-783380
DIST. BONGAIGAON
ASSAM.

16: DIPANKAR ROY S/O.
DEBEN ROY R/O. WEST
COLONY RAILWAY QTR.
NO. N/132/A
P.O. NEW BONGAIGAON
PIN-783385
DIST. BONGAIGAON
ASSAM.

17: DIPIKA BHAGAWATI
C/O. SANJIB KUMAR
SARMA R/O. SPECTRUM
NEAR SBI EVENING BRANCH
SILPHUKHURI
PIN-781003
DIST. KAMRUP (M)
ASSAM.

18: NITU BEZBARUAH
S/O. HEMANTA KUMAR BEZBARUAH
R/O. HAZO BEZTOLA
P.O. AND P.S. HAJO
PIN-781102

DIST. KAMRUP
ASSAM.

19: NIBEDITA MAHANTA
D/O. KABINDRA MAHANTA
R/O. FLAT NO. 4E
BLOCK-B
R.R.S PALACE
SILPUKHURI
GUWAHATI
PIN-781003
DIST. KAMRUP (M)
ASSAM.

20: DIPTI KALITA
D/O. KISHAK KALITA
R/O. HENGRABARI
P.O. HENGRABARI
P.S. DISPUR
PIN-781036
DIST. KAMRUP (M)
ASSAM.

21: MOUSHUMI DUTTA
D/O. ANJU RANJAN
DUTTA R/O. 7 SANJOG
PATH LAKHIMINAGAR
HATIGAON
PIN-781038
DIST. KAMRUP (M)
ASSAM.

VERSUS

1:THE STATE OF ASSAM AND ANR.
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT DEPTT.
JURIPAR
PANJABARI
GUWAHATI-781037
DIST. KAMRUP (M)
ASSAM.

2:THE DIRECTOR
PANCHAYAT AND RURAL DEVELOPMENT DEPTT.
JURIPAR
PANJABARI
GUWAHATI-781037
DIST. KAMRUP (M)

ASSAM.

Advocate for the Petitioner : MR. U K NAIR
Advocate for the Respondent : GA
ASSAM

Linked Case : WP(C) 2159/2019

1:DIPU NATH AND 11 ORS.
S/O TARUN CH. NATH
R/O CHIRING NATH GAON
P.O- CHARING
P.S.-GAUISAGAR
DIST.-SIVASAGAR
ASSAM

2: PINKU BHUYAN
S/O SUREN BHUYAN
R/O GANESH
NAGAR GUWAHATI
P.S- BASISTHA
DIST.-KAMRUP(M)
ASSAM

3: DEBANANDA BHARALI
S/O LT. UPEN BHARALI
R/O GEETAMANDIR NEAR
BG TINIALI
P.O- NOONMATI
P.S-GEETANAGAR
DIST.-KAMRUP(M)

4: NAYAN JYOTI BHATTACHARYYA
S/O AKAN BHATTACHARYYA
R/O NO. 2 MATHGHARIA
SRINAGAR
P.O/PS- NOONMATI
DIST.-KAMRUP(M)

5: PRADIP ROY
S/O LT. LAKSHMAN CH. ROY
R/O- HOUSE NO. 85
PANCHATIRTHA PATH
P.O/P.S- NOONMATI
DIST.-KAMRUP(M)

6: REJEKUDDIN AHMED
S/O-KHASNUR ALI R/O-
KACHARI SOLMARI
P.O/P.S-RANGIA DIST.-
KAMRUP

7: ABHIJIT DAS
S/O LANKESWAR DAS
R/O- BHAGABATIPARA
P.O-BHAGABATIPARA
P.S.-PALASBARI
DIST.-KAMRUP

8: KADIR ALI S/O-
HAMIR ALI R/O-
UTTAR BARDAL P.O-
BARDAL P.S.-
RANGIA DIST.-
KAMRUP

9: ATUL DAS
S/O PUHA RAM DAS
VILL.-CHIRAKHUNDI
P.O.-DEULKUCHI
P.S.-TAMULPUR
DIST.-BAKSA

10: HAFIJ ALI
S/O FARID ALI
R/O VILL.-KHANDIKAR
P.O-DHEPARGAON
P.S.-TAMULPUR DIST.-
BAKSA

11: MOIEDUL ALI
S/O MAHCHIN ALI
R/O WARD NO. 8
RANGIA TOWN
P.O/PS-RANGIA
DIST- KAMRUP

12: SAHABUDDIN AHMED
S/O KASHIMUDDIN
AHMED R/O VILL-
MARANJAN P.O-
MARANJANA P.S.-RANGIA

DIST.-KAMRUP
VERSUS

1:THE STATE OF ASSAM AND 21 ORS.
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT DEPTT. JURIPAR
PANJABARI
KAMRUP (M)
GUWAHATI-781036

2:THE COMMISSIONER
THE PANCHAYAT AND RURAL DEVELOPMENT DEPTT. JURIPAR
PANJABARI
KAMRUP (M)
GUWAHATI
ASSAM

3:THE DIRECTOR
PANCHAYAT AND RURAL DEVELOPMENT DEPTT. JURIPAR
PANJABARI
KAMRUP (M)
GUWAHATI-781036

4:THE JOINT DIRECTOR
PANCHAYAT AND RURAL DEVELOPMENT DEPTT. JURIPAR
PANJABARI
KAMRUP (M)
GUWAHATI-37
ASSAM

5:POLI BORUAH
C/O POLI BORUAH SAIKIA
R/O FLAT NO. 2F
SHANTI ENCLAVE
NAMGAHR PATH
PANJABARI
OPP. SBI
GUWAHATI
DIST.-KAMRUP(M)
ASSAM
PIN-782003

6:NITUL BARMAN
S/O UNKNOWN
R/O BIHAMPUR
P.S.-BELSOR
DIST.-NALBARI
ASSAM

ASSAM
PIN-781303

7:BHANITA BARMAN
C/O UNKNOWN
R/O NALBARI SATRA
P.O.-CHOWKBAZAR
DIST. AND P.S-NALBARI
PIN-781335
ASSAM

8:NIVA RANI HALOI
C/O UNKNOWN
R/O NALBARI SATRA
P.O.-CHOWKBAZAR
DIST. AND P.S.-NALBARI
PIN-781335
ASSAM

9:ARUP KULI
C/O UNKNOWN
R/O CHUMOIMARI
P.O-POTIA
P.S- KAMALABARI
DIST.-MAJULI
ASSAM
PIN-785106

10:MOLOYA NEOG
C/O UNKNOWN
R/O BILPAR
P.O.-GHOGRAPAR
P.S.-GHOGRAPAR
DIST.-NALBARI
PIN-781337
ASSAM

11:CHINMOY GOSWAMI
S/O UNKNOWN
R/O NALBARI GAON
P.O.-GOPAL BAZAR
DIST.-NALBARI
781353

12:ANIMA PEGU
C/O UNKNOWN
R/O BOR KHAMON
P.O.-BANHPARA

P.S.-DHAKUKAHANA
DIST.-LAKHIMPUR
PIN-787055

13:PRIJU DOLEY
S/O UNKNOWN
R/O MATMARA
P.O.-KHERKATAMUKH
P.S.-DHAKUWAKHANA
DIST.-LAKHIMPUR
ASSAM
PIN-787055

14:TUTUL PEGU
S/O UNKNOWN
R/O BHAGMARA
GHILAMARA
P.S.-DHAKUWAKHANA
DIST.-LAKHIMPUR
PIN-787053

15:DIPALI PATIR
C/O UNKNOWN
R/O BAKULGURI CHARIALI
P.O-BAKULGURI
P.S.-DHAKUWAKHANA
DIST.-LAKHIMPUR
787055

16:MRIDUL KALITA
P.O AND P.S.-GHOGRAPAR
DIST.-NALBARI
ASSAM
PIN-781369

17:NAMITA HALOI
C/O UNKNOWN R/O BALILECHA
P.S.-NALBARI
DIST.-NALBARI
ASSAM
PIN-781334

18:NIJARA BARMAN
C/O UNKNOWN R/O JAPARKUCHI
P.O.-TERECHI
DIST.-NALBARI
ASSAM-781335

19:PRANJAL DUTTA
S/O UNKNOWN
R/O KSHUDRASANKARA
P.O.- TERECHIA
NALBARI
DIST.-NALBARI
PIN-781334

20:BIKASH DUTTA
S/O UNKNOWN
R/O KSHUDRASANKARA
P.O.-TERECHIA
DIST.-NALBARI
PIN-781334

21:BARNALI DEVI
C/O UNKNOWN
R/O GANDHIYA
P.O AND P.S.-GANDHIYA
DIST.-NALBARI
PIN-781304

22:ALAKESH KALITA
S/O UNKNOWN
R/O NEAR SWAHID BHAWAN
MIRZA
P.S.-PALASHBARI
DIST.-KAMRUP
ASSAM
PIN-781125

Advocate for the Petitioner : MR. S BORTHAKUR Advocate for the Respondent : SC PNRD

Linked Case : WP(C) 1719/2020

1:SIMANTA KALITA
S/O- SRI HITESH KALITA
VILL AND P.O. ADALBARI
P.O. MUSHALPUR
DIST.- BAKSA
ASSAM
PIN- 781372

VERSUS

1:THE STATE OF ASSAM AND ANR.
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT DEPTT.
JURIPAR
PANJABARI
GHY-37
DIST.- KAMRUP (M)
ASSAM

2:THE DIRECTOR
PANCHAYAT AND RURAL DEVELOPMENT DEPTT.
JURIPAR
PANJABARI
GHY-37
DIST.- KAMRUP (M)
ASSAM

Advocate for the Petitioner : MRS. R DEVI
Advocate for the Respondent : SC
PNRD

Linked Case : WP(C) 2994/2019

1:RUBUL AHMED AND 3 ORS.
S/O MOHIR UDDIN AHMED
R/O VILL.- TAPESWARA
P.O. GUNIAL GURI
P.S. KALGACHIA
IN THE DIST. OF BARPETA
ASSAM. PIN- 781319.

2: ASMA KHATUN
D/O- LT. KHALILUR RAHMAN
R/O. VILL- KHARBALLI
P.O. KALGACHIA
P.S. KALGACHIA
DIST.- BARPETA
ASSAM.

3: FATIMA KHATUN D/O
MD. ABDUL KADER
R/O. VILL. AND P.O.
KALGACHIA P.S. KALGACHIA
DIST. BARPETA

ASSAM.

4: SHAMSUL ALAM KHAN
S/O KHALILUR RAHMAN KHAN
R/O. VILL. KALGACHIA
P.O. KALGACHIA
P.S. KALGACHIA
IN THE DIST. OF BARPETA
ASSAM.
VERSUS

1:THE STATE OF ASSAM AND 4 ORS.
REP. BY THE COMM. AND SECY.
PANCHAYAT AND RURAL DEVELOPMENT ASSAM
DISPUR
GHY.-06.

2:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM
FINANCE DEPTT.
DISPUR
GHY.-06.

3:THE DIRECTOR
PANCHAYAT AND RURAL DEVELOPMENT DEPTT.
JURIPAR
PANJABARI
DIST. KAMRUP(M)
ASSAM.

4:THE JT. SECRETARY
TO THE GOVT. OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT
ASSAM
GHY.-06.

5:THE JT. DIRECTOR
PANCHAYAT AND RURAL DEVELOPMENT DEPTT.
DISPUR
GHY.-06.

Advocate for the Petitioner : MR A R BHUYAN
Advocate for the Respondent : SC
PNRD

Linked Case : WP(C) 940/2020

1:MD. SAIFUL ISLAM
S/O. MD. ATOWAR RAHMAN
VILL. HELONARPAM
P.O. BARBALA
P.S. GOBARDHANA
DIST. BAKSA
ASSAM.

VERSUS

1:THE STATE OF ASSAM AND ANR.
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT DEPTT.
JURIPAR
PANJABARI
GUWAHATI-781037
DIST. KAMRUP (M)
ASSAM.

2:THE DIRECTOR
PANCHAYAT AND RURAL DEVELOPMENT DEPTT.
JURIPAR
PANJABARI
GUWAHATI-781037
DIST. KAMRUP (M)
ASSAM.

Advocate for the Petitioner : MR. J I BORBHUIYA
Advocate for the Respondent : GA
ASSAM

:: BEFORE ::

HON'BLE MR. JUSTICE MANOJIT BHUYAN

ORDER

27.08.2020

Heard Mr. S. Bora, learned counsel for the petitioners in WP(C)/2979/2020; Dr. A. Todi, learned counsel representing petitioners in WP(C)/4274/2018; Mr. S. Borthakur, Advocate for the petitioners in WP(C)/2159/2019; Mr. A.U. Ahmed, Advocate for the petitioners in WP(C)/2994/2019; Mr. U.K. Nair, learned Senior Counsel for the petitioners in WP(C)/5801/2019 and Mr. J.I. Borbhuiya, Advocate for the petitioners in WP(C)/940/2020. None appears for the petitioners in WP(C)/1972/2019,

WP(C)/3418/2019 and WP(C)/1719/2020. Also heard Mr. D. Saikia, learned Senior Counsel representing Panchayat & Rural Development, Assam, assisted by Mr. P. Nayak, Advocate as well as Mr. R.S. Deuri, learned counsel representing respondent no.22 in WP(C)/2159/2019.

Consequent upon the additional affidavit filed by the respondent no.2 on 20.08.2020, all parties are agreed that the present bunch of writ petitions can be disposed of at the Motion stage itself, which is accordingly done.

Short facts are that an Advertisement was issued on 21.12.2017 by Panchayat & Rural Development, Assam for filling up 945 various posts comprising of Extension Officer (Panchayat)/Jr. Asst. HQ/Gram Sevak & Gram Sevika/Junior Asstt. (Anchalik Panchayat)/Tax Collector-cum-Road Moharar/Gaon Panchayat Secretary. The petitioners herein duly applied and also participated in the written test held on 20.05.2018. When the publication of Select List got delayed, they came to learn of an order dated 19.07.2018, passed by this Court in WP(C)/4274/2018, whereby a direction was made to the State respondents not to declare the results on account of submissions made by the petitioners therein alleging anomalies in the examination as well as on submission of the State respondents that the State CID has been entrusted to investigate into the matter. Petitioners submit that the interim order dated 19.07.2018 was recalled by subsequent order dated 07.01.2019, primarily by taking note that no materials could be produced demonstrating any irregularity in the conduct of the examination except in the examination conducted at Rangia Higher Secondary School Examination Centre. By the said order dated 07.01.2019 passed in WP(C)/4274/2018, the State respondents were allowed to declare the results of the Combined Competitive Examination, 2018, with liberty to make appointment on the basis of the Select List, subject to the outcome of the writ petition as well as the investigation by the CID, Assam Police. What transpired subsequent to the order of the Court dated 07.01.2019 is spelt out in the additional affidavit filed for and on behalf of the Commissioner, Panchayat & Rural Development, Assam on 20.08.2020, which is not disputed by the petitioners.

From the aforesaid additional affidavit dated 20.08.2020 it is seen that to go into the complaints of anomalies the matter was entrusted to the CID, Assam Police for a detailed investigation, whereupon a case was registered, being CID P.S. Case No.14/2018. An Interim Report was submitted by CID on 07.02.2019 showing that out of 507 numbers of examination centres, certain anomalies were noticed in 18 examination centres. Also, in so far as examination conducted in the Rangia Higher Secondary School Centre was concerned, the written examination was delayed by about 1 hour due to some unavoidable circumstances. However, after about 1 hour written examination was conducted without difficulty. It is also seen from the additional affidavit that consequent upon recall of the interim order dated 19.07.2018 by subsequent order dated 07.01.2019

in WP(C)/4274/2018, a total of 887 number of candidates were appointed on 05.03.2019, but the result of candidates who had appeared in the aforesaid 18 number of examination centres were kept in abeyance subject to Final Report from the CID, Assam Police. The additional affidavit categorically mentions that investigation by CID, Assam Police stood completed and a Closure Report vide FR No.01/2020 dated 30.06.2020 was submitted. As per the Report, the complaints of anomalies did not stand substantiated and no evidence could also be collected against the arrest accused persons.

Having regard to the above, more particularly to the fact that there are no restrain orders of the Court, as well as Select List of the aforesaid 18 examination centres being available, which results were withheld during the process of investigation by CID, Assam Police, as well as on the fact that investigation by CID, Assam Police have stood completed, followed by Closure Report, there is now no impediment for the State respondents to make appointment of those successful candidates whose names find in the Select List pertaining to the aforesaid 18 examination centres. In this regard, the State respondents are directed that the withheld results of those successful candidates pertaining to the aforesaid 18 examination centres be declared and appointments be made at the earliest.

Before parting with the case and having regard to the submission made by Mr. U.K. Nair, learned Senior Counsel appearing for the petitioners in WP(C)/5081/2019, liberty is given to the petitioners to make representation seeking retrospective effect of their appointments in the event they are found to be successful and eligible to be appointed. Needless to say that necessary order would be passed on such representation(s) in accordance with law.

All the aforesaid 9 writ petitions stand accordingly disposed of.

JUDGE

Comparing Assistant