GAHC010250972024

2026:GAU-AS:16304

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

Case No. : WP(C)/6390/2024

DR. HEMANTA CHETIA
S/O SRI KINA RAM CHETIA, R/O MILAN NAGAR, P.O.-TITABAR, DIST-JORHAT, ASSAM, PIN-785630

VERSUS

THE UNION OF INDIA AND 4 ORS
REPRESENTED BY THE MINISTRY OF HOME AFFAIRS, GOVT. OF INDIA, NEW DELHI-01

2:THE DIRECTOR GENERAL
BORDER SECURITY FORCE (BSF)
BLOCK-10
CGO COMPLEX
LODHI ROAD
NEW DELHI-110003

3:THE ADDL. DIRECTOR GENERAL (MEDICAL)
(CAPFS
NSG AND AR)
WEST BLOCK-1
LEVEL-3
R.K.PURAM
NEW DELHI-110066

4:THE IG (MEDICAL)
HQRS DG BSF
EAST BLOCK-9
R.K. PURAM
NEW DELHI-110066

5:THE DEPUTY INSPECTOR GENERAL

MEDICAL
BSF FTR HQ
PATGAON
GUWAHATI
KAMRUP (M)
ASSAM
PIN-781017

6:Dr. Poonam Choudhary
CMO -SG
CRPF
Sl. No. 100
OM dated 19.08.2024
Through the ADG -Medical-
CAPFs
NSG and AR
West Block-1
R.K. Puram
New Delhi-110066

7:Dr. P Kirongkhon
CMO -SG
CRPF Sl. No. 101
O.M. dated 19.08.2024
Through the ADG -Medical
CAPFs
NSG and AR)
West Block-1
R.K. Puram
New Delhi-110066

8:Dr. H S Dharamshaktu
CMO -SG
ITBP Sl. No. 102
O.M. dated 19.08.2024
Through the ADG (Medical)
CAPFs
NSG and AR
West Block-1
R.K. Puram
New Delhi-110066

9:Dr. Usha Sharma
CMO -SG
BSF Sl. No. 103
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs

NSG and AR)
West Block-1
R.K. Puram
New Delhi-110066

10:Dr. Marshal Murmu
CMO (SG)
BSF Sl. No. 104
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG and AR)
West Block-1
R.K. Puram
New Delhi-110066

11:Dr. Mrinal Hazarika
CMO (SG)
BSF Sl. No. 105
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG and AR)
West Block-1
R.K. Puram
New Delhi-110066

12:Dr. (Mrs) Naina Krishna Bharati
CMO (SG)
BSF
Sl. No. 106
O.M. dated 19.08.2024

Through the ADG (Medical)
(CAPFs
NSG and AR)
West Block-1
R.K. Puram
New Delhi-110066

13:Dr. K Ngomdir
CMO (SG)
CRPF Sl. No. 107
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG and AR)
West Block-1

R.K. Puram
New Delhi-110066

14:Dr. Shyamanta Gogoi
CMO (SG)
CRPF Sl. No. 108
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG and AR)
West Block-1
R.K. Puram
New Delhi-110066

15:Dr. (Mrs) Sindhuja Panda
CMO (SG)
BSF
Sl. No. 109
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG and AR)
West Block-1
R.K. Puram
New Delhi-110066

16:Dr. Kuljeet Jagidar
CMO (SG)
CRPF
Sl. No. 110
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG and AR)
West Block-1
R.K. Puram
New Delhi-110066

17:Dr. Rajesh Kumar Singh
CMO (SG)
CRPF
Sl. No. 111
O.M. dated 19.08.2024.
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram

New Delhi-110066.

18:Dr. (Mrs) Shivani Sinha
CMO (SG)
CRPF
Sl. No. 112
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram
New Delhi-110066

19:Dr. (Mrs) Deepa Shukla
CMO (SG)
CRPF
Sl. No. 113
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram
New Delhi-110066

20:Laxman Singh
CMO (SG)
BSF
Sl. No. 114
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram
New Delhi-110066

21:Dr. Mritunjay Kumar
CMO (SG)
BSF
Sl. No. 115
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram

New Delhi-110066

22:Dr. Deshpande Ravindra Ashok
CMO (SG)
ITBP
Sl. No. 116
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram
New Delhi-110066

23:Dr. Amit Singhal
CMO (SG)
BSF
Sl. No. 117
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram
New Delhi-110066

24:Dr. (Mrs) Rachna Pandey
CMO (SG)
ITBP
Sl. No. 118
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram
New Delhi-110066

25:Dr. Vinita Tiwari
CMO (SG)
ITBP
Sl. No. 119
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram

New Delhi-110066

26:Dr. Rakesh Tiwari
CMO (SG)
ITBP
Sl. No. 120
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram
New Delhi-110066

27:Dr. V K Gopal
CMO (SG)
CRPF
Sl. No. 121
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram
New Delhi-110066

28:Dr. Sanju Singh
CMO (SG)
CRPF
Sl. No. 122
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram
New Delhi-110066

29:Dr. (Mrs) Ashlesha Kohad
CMO (SG)
CRPF
Sl. No. 123
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram

New Delhi-110066

30:Dr. Jaswinder Singh
CMO (SG)
CRPF
Sl. No. 124
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram
New Delhi-110066

31:Dr. Salil Kumar Singh
CMO (SG)
BSF
Sl. No. 125
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram
New Delhi-110066

32:Dr. K M Thore
CMO (SG)
SSB
Sl. No. 126
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram
New Delhi-110066

33:Dr. Sanjay Chaudhary
CMO (SG)
SSB
Sl. No. 127
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram

New Delhi-110066

34:Dr. K D Singh
CMO (SG)
SSB
Sl. No. 128
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram
New Delhi-110066

35:Dr. (Mrs) Sandhaya Thapliyal
CMO (SG)
ITBP
Sl. No. 129
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram
New Delhi-110066

36:Dr. Utpal Das
CMO (SG)
BSF
Sl. No. 130
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram
New Delhi-110066

37:Dr. R N Majhi
CMO (SG)
BSF
Sl. No. 131
O.M. dated 19.08.2024

Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1

R.K. Puram
New Delhi-110066

38:Dr. Chandan Deb Nath
CMO (SG)
ITBP
Sl. No. 132
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram
New Delhi-110066

39:Dr. Florence Dangmei
CMO (SG)
CRPF
Sl. No. 133
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram
New Delhi-110066

40:Dr. Amit Bhatnagar
CMO (SG)
ITBP
Sl. No. 134
O.M. dated 19.08.2024
Through the ADG (Medical)
(CAPFs
NSG AND AR)
West Block-1
R.K. Puram
New Delhi-11006

Advocate for the Petitioner : MR M A ISLAM, MR J I MONDAL

Advocate for the Respondent : DY.S.G.I., MR. K K PARASAR (R-1 TO 5 (C.G.C))

BEFORE
HON'BLE MRS. JUSTICE SHAMIMA JAHAN
ORDER

06.11.2026

Heard Mr M A Islam, learned counsel for the petitioner and Mr K K Parashar, learned counsel for the respondent Nos. 1 to 5.

2. By this application filed under Article 226 of the Constitution of India, the petitioner has challenged the seniority list of combined Medical Officers cadre CMO/COMDT/SPLT Grade-1 and above, in CAPF NSG and AR, Assam Rifles, as on 31.12.2023.

3. The case of the petitioner is that pursuant to an advertisement in the year 1997-1998, issued by the Ministry of Home Affairs, Government of India, he appeared in the examination of Medical Officer Selection Board for the post of Medical Officer (Assistant Commandant) and in the merit list published on 15th of January, 1999, he was shown as the successful candidate. Thereafter, the petitioner was appointed to the post of Medical Officer (Assistant Commandant) in 70th Bn., BSF at Kadamtola, North Bengal vide appointment order dated 14.09.2001 and since then, the petitioner was working and vide order dated 12.10.2005, the petitioner was promoted to the post of Senior Medical Officer and subsequently, to the post of Chief Medical Officer, on 12.10.2010. Thereafter, the petitioner was further promoted to the post of Chief Medical Officer (Selection Grade) on 12.10.2014 and since then he has been working in the said post.

4. The learned counsel for the petitioner submits that as per Rules, the placement of the incumbents in the seniority list depends on their placement in the select list/merit list. He submits that although the name of the petitioner found place in the merit list that was published in 1999, but due to certain issues, the petitioner was appointed a little late, i.e., in the year 2001. He further submits that vide an office memorandum dated 11.11.2010, a Board of Officers was constituted for preparation of combined seniority list upto 31st of December, 2021, and the draft seniority list was prepared by the Board, which was circulated to all the Medical Officers and by the same, the Officers were asked to submit objection, if any within a period of 10 days. It is the further case of the petitioner that in the said draft seniority list, the name of the petitioner was shown at Serial No. 229, along with the enrolled Medical Officers in the year 2001, and not with the enrolled Medical Officers, appointed in 1999. Aggrieved by the same, the petitioner had submitted representation before the Director General, Border Security Force, for granting him seniority as per 1999 enrolment, but the same was not considered by the concerned authority. Thereafter, the learned counsel submits that every year seniority lists were published and that finally, on 19th of August, 2024, an office memorandum was issued forwarding the updated seniority list of Combined Medical Officers' cadre,

as on 31.12.2023, and in the said seniority list, the name of the petitioner was at Serial No. 135, and was again placed with the officers enrolled in the year 2001. Aggrieved by the same, the petitioner has filed the instant petition.

5. The learned counsel for the petitioner further states that admittedly, the petitioner was selected in the year 1999 and although the Rules provide that seniority will be based on the select list, but since his appointment was late, i.e., in the year 2001, the seniority of the petitioner was not properly shown in the combined seniority list. However, the learned counsel submits that during the proceeding of the instant case, the learned counsel for the respondents has placed an instruction, by which it is seen that the seniority list and updated seniority list from the rank of ADJ (Medical) to DIG (Medical)and a combined list of Chief Medical Officer as well as Specialist Grade-1 Medical Officers, as on 31.12.2025, was stated to have been published and in the said seniority list, it is seen that the petitioner was ranked at Serial No. 68. As such, the learned counsel for the petitioner submits that as per the updated seniority list placed by the learned counsel during the proceeding, the petitioner has been rightly placed in the same and that he has no objection and as his claim has been met by the respondent authorities

6. Further, the learned counsel for the respondents has placed one No-Objection Certificate given by the petitioner on 16.10.2026, wherein he has specifically stated that in view of the combined draft seniority list published on 24th of September, 2026, his seniority has been refixed and he has no objection for the same.

7. In view of the said contentions made by the learned counsels and in view of the No-Objection Certificate given by the petitioner as well as the refixation of the seniority of the petitioner as per the Rules, this Court disposes of the writ petition. As such, this writ petition is disposed of. The No-Objection Certificate as well as the draft seniority list are kept as a part of the record.

JUDGE

Comparing Assistant