

GAHC010169692020



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

Case No. : WP(C)/5028/2020

KISHORJIT DAS AND ANR.
S/O. CHAKRADHAR DAS, ADDRESS- SBI COLONY, SARUMOTORIA, P.S.
DISPUR, DIST. KARUP (M), PIN-781006.

2: NAVAJYOTI GOSWAMI
S/O. SRI DILIP GOSWAMI
ADDRESS- PURANABASTI 5TH BYE LANE
P.S. DISPUR
DIST. KAMRUP (M)
PIN-781006

VERSUS

THE STATE OF ASSAM AND 3 ORS.
REP. BY THE CHIEF SECRETARY, GOVT. OF ASSAM, DISPUR, GUWAHATI-
781006, ASSAM.

2:THE ASSAM PUBLIC SERVICE COMMISSION
REP. BY ITS CHAIRMAN
JAWAHAR NAGAR
KHANAPARA
GUWAHATI-781022.

3:THE SECRETARY
ASSAM PUBLIC SERVICE COMMISSION
JAWAHAR NAGAR
KHANAPARA
GUWAHATI-781022.

4:THE PRINCIPAL CONTROLLER OF EXAMINATIONS
ASSAM PUBLIC SERVICE COMMISSION
JAWAHAR NAGAR
KHANAPARA
GUWAHATI-781022

Advocate for the Petitioner : MR H R A CHOUDHURY
Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MANOJIT BHUYAN

ORDER

Date : 02.12.2020

Heard Mr. H.R.A. Choudhury, learned senior counsel, representing the petitioners, assisted by Mr. M. Dutta, Advocate. Also heard Mr. D. Nath, learned counsel representing respondent no. 1, and Mr. T. J. Mahanta, learned senior counsel, representing respondent nos. 2, 3 and 4, assisted by Mr. P. P. Dutta, Advocate.

Sum and substance of the challenge is that excess candidates have been allowed to participate in the Mains Examination held by the Assam Public Service Commission contrary to Rule 51 of the *Assam Public Service Commission (Procedure and Conduct of Business) Rules, 2010*.

It is submitted by Mr. Mahanta that a writ petition involving similar subject-matter, being WP(C) 2587/2020 (Bikash Upadhyaya vs. State of Assam and Others), was heard and dismissed by this Court vide order dated 09.10.2020. Mr. Choudhury, on the other hand, submits that as against the order of dismissal, a writ appeal was filed, being WA 164/2020, and Notice in the case was issued yesterday, i.e. 01.12.2020, fixing the matter on 20.01.2020.

Having regard to the above, let Notice be issued.

No fresh steps are required to be taken as all respondents are represented. However, extra copies of the writ petition be furnished to Mr. Nath and Mr. Dutta within five days.

List for Admission as and when mention is made by either party on the outcome of WA 164/2020.

JUDGE

Comparing Assistant