

GAHC010116542020



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

Case No. : WP(C) 3433/2020

1:KUNAL KASHYAP THAKURIA AND 10 ORS.
S/O HIENDRA NATH THAKURIA, R/O HOUSE NO. 7,
BATHOUTHANCHALIPATH, NEAR M.P. ACCADEMY, KHERAIKUSHI,
CHANDAN NAGAR, GHORAMARA, BELTOLA, PIN-781040, DIST. KAMRUP
(M), ASSAM

2: HELINA NARZARY
D/O JOTISH KUMAR NARZARY
R/O UZAN BAZAR
BAROWARI
RLY. CLN. QTR. NO. L/124 B
GUWAHATI-781004
DIST. KAMRUP (M)
ASSAM

3: GAYATRI CHOUDHURY
D/O AJIT CHOUDHURY
R/O TOWN-BORPARA
BONGAIGAON
WARD NO. 23
PIN-783380
DIST. BONGAIGAON
ASSAM

4: DAVID BORKAKOTI
S/O TARULATA BORKAKOTI
R/O HOUSE NO. 172
G.N.P. ROAD
CHANDMARI COLONY
NEAR SHEPHERD SCHOOL
DIST. KAMRUP (M)
ASSAM
PIN-781003

5: KARAM VIR ISLARY
S/O ABHINASH ISARY
R/O H. NO. 109
HATHIMATHA ROAD
KOKRAJHAR
P.O. AND DIST. KOKRAJHAR
ASSAM
PIN-783370

6: DEEBAJEET BARMAN
S/O KAMALISWAR BARMAN
R/O A.I.D.C. NABIN NAGAR
TRIBANI PATH
HOUSE NO. 31
NANAKVILLA
DIST. KAMRUP (M)
ASSAM
PIN-781024

7: KISHORE KUMAR CHOUDHURY
S/O DINO BANDHU CHOUDHURY
R/O VILL. KALLIYAPARA
P.O. MONIARI TINIALI
PIN-781125
DIST. KAMRUP
ASSAM

8: KAMRUZ ZAMAN
S/O NURUZ ZAMAN
R/O NEAR TARA JAN HIGH SCHOOL JORHAT
P.O. P.S AND DIST. JORHAT
ASSAM
PIN-785001

9: RITUPOBAN DOUL BARUAH
S/O RAJEN DOUL BARUAH
R/O MILAN NAGAR
JORHAT
P.O. P.S AND DIST. JORHAT
ASSAM
PIN-785001

10: MOON MOON TISSOPI
D/O ROBIRAM TISSO
R/O VILL. TUMPRENG TISSO GAON
P.O. TUMPRENG
PIN-782485
DITS. WEST KARBI ANMGLONG

11: PRIYANUJ MAHANTA
S/O ANIL MAHANTA
R/O BARMUKH CHUTIYA GAON
P.O. JOYRAPAR
PIN-785697
DIST. SIVASAGAR
ASSA

VERSUS

1:THE STATE OF ASSAM AND 3 ORS.
REP. BY THE CHIEF SECRETARY GOVT. OF ASSAM

2:SECRETARY
TO THE GOVT. OF ASSAM PUBLIC HEALTH ENGINEERING DEPTT.

3:ASSAM PUBLIC SERVICE COMMISSION
REP. BY THE SECRETARY TO THE COMMISSION JOYANAGAR
KHANAPARA
GHY-22

4:CHIEF ENGINEER PUBLIC HEALTH ENGINEERING
PUBLIC HEALTH ENGINEERING DEPTT. BAMUNIMAIDAN
GHY-78102

Advocate for the Petitioner : MR. D P CHALIHA

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 08-09-2020

Heard Mr. D.P. Chaliha, learned senior counsel assisted by Ms. M. Roy, learned counsel for the petitioners.

The petitioners herein claim to be eligible for being promoted to the rank of Assistant Engineer in the PHE Department as per the relevant Rules but notwithstanding the availability of vacancies, no action has been initiated for considering their cases for promotion. On the contrary, submits Mr. Chaliha, by

issuing an advertisement notification dated 19/08/2020 (Annexure-N), the respondents are seeking to fill up those promotional posts by direct recruitment.

Learned Standing Counsel, PHE and learned Standing Counsel, APSC are not present although their names shown in the cause list.

In view of the above, let this matter be listed again on 16/09/2020 along with WP(C) 2843/2020 for motion, so as to enable the learned Standing Counsel(s) to obtain instruction.

In the meantime, two extra copies of the writ petition be furnished to the learned Standing Counsel, PHE and APSC within two days so as to enable them to obtain instruction.

List this case again on 16/09/2020 for motion.

JUDGE

Sukhamay

Comparing Assistant