

GAHC010070062018



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

Case No. : I.A.(Civil) 2121/2018

1:POJUL LOYING

S/O- SRI GOJENDRA NATH LOYING, R/O- VILL- GULUNG TEMERA, P.O.-
BADULIPARA, P.S.- DERGAON, DIST- GOLAGHAT, ASSAM, PIN- 785611.

VERSUS

1:ARUP MANTA AND 6 ORS

S/O- LATE BIPIN MANTA, PERMANENT RESIDENT OF DIPHU, NEAR
PANCHAYAT OFFICE, PIN- 782460, DIST- KARBI-ANGLONG, ASSAM.

2:MANALISHA CHOUDHURY

W/O- SHYAMANTA KUMAR BARUAH
R/O- YAMINI PATH
JANAKPUR
KAHILIPARA
GUWAHATI
PIN- 781019
KAMRUP
METROPOLITAN DISTRICT
ASSAM.

3:THE STATE OF ASSAM

REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
HOME AND POLITICAL DEPTT.
DISPUR
GUWAHATI
PIN- 781006
KAMRUP (M) DIST.
ASSAM.

4:THE SECRETARY TO THE GOVT OF ASSAM

PERSONNEL DEPTT.
DISPUR
GUWAHATI

PIN- 781006
KAMRUP METRO DISTRICT
ASSAM.

5:THE DIRECTOR
DIRECTORATE OF FORENSIC SCIENCE
ASSAM
KAHILIPARA
GUWAHATI
PIN- 781019
KAMRUP METROPOLITAN DIST
ASSAM.

6:ASSAM PUBLIC SERVICE COMMISSION
REP. BY ITS CHAIRMAN
JAWAHARNAGAR
KHANAPARA
GUWAHATI
PIN- 781022
KAMRUP METROPOLITAN DIST
ASSAM.

7:THE SECRETARY
APSC
JAWAHARNAGAR
KHANAPARA
GUWAHATI
PIN- 22
KAMRUP METRO DIST
ASSAM

Advocate for the Petitioner : MR. T H HAZARIKA

Advocate for the Respondent : GA, ASSAM

Linked Case : WP(C) 904/2017

1:BIMAL KONWAR
S/O LT. THANESWAR KONWAR MADASI
R/O NARENGI
NEAR GANESH MANDIR
GUWAHATI - 781026
ASSAM.

VERSUS

1:THE STATE OF ASSAM and 3 ORS.
REP. BY THE COMMISSINER TO THE GOVT. OF ASSAM
DEPARTMENT OF HOME
DISPUR
GUWAHATI-06.

2:THE SECRETARY TO THE GOVT. OF ASSAM
DEPAERTMENT OF HOME DISPUR
GUWAHATI -06

3:THE DIRECTOR GENERAL OF POLICE
ULUBARI
GUWAHATI-6

4:THE DIRECTOR
DIRECTORATE OF FORENSIC SCIENCE
ASSAM
KAHILIPARA
GUWAHATI -06.

Advocate for the Petitioner : MR.A CHETRY
Advocate for the Respondent :

Linked Case : WP(C) 7555/2017

1:RENU BORAH HANDIQUE
W/O SRI DEEPAK HANDIQUE R/O HOUSE NO.-08
NEAR 10 APBN GATE
KAHILIPARA
P.S. DISPUR
GUWAHATI -19
DIST. KAMRUP METRO
ASSAM

VERSUS

1:THE STATE OF ASSAM and 5 ORS.
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF HOME
DISPUR
GUWAHATI -6.

2:THE COMMISSIONER and SECRETARY
TO THE GOVT. OF ASSAM
DEPARTMENT OF PERSONNEL
DISPUR
GUWAHATI -6.

3:THE SECRETARY
TO THE GOVT. OF ASSAM
DEPARTMENT OF HOME
DISPUR
GUWAHATI -6.

4:THE DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI
GUWAHATI -6.

5:THE DIRECTOR
DIRECTOR OF FORENSIC SCIENCE
ASSAM
KAHILIPARA
GUWAHATI -6.

6:THE ASSAM PUBLIC SERVICE COMMISSION
REP. BY THE CHAIRMAN
APSC
KHANAPARA
GUWAHATI -22.

Advocate for the Petitioner : MR.P SAIKIA
Advocate for the Respondent : MR.C BARUAH

Linked Case : WP(C) 4502/2017

1:DR. MANALISHA CHOUDHURY
W/O. SHYAMANTA KR. BARUAH
R/O. JONAKPUR
YAMINI PATH
KAHILIPARA
GHY.-19
DIST. KAMRUP M
ASSAM.

VERSUS

1:THE STATE OF ASSAM and 2 ORS.
REPRESENTED BY THE COMMISSIONER and SECRETARY TO THE GOVT. OF
ASSAM
HOME DEPTT.
DISPUR
GHY.-06.

2:THE DIRECTOR
DIRECTORATE OF FORENSIC SCIENCE
THE GOVT. OF ASSAM
KAHILIPARA
GHY.-19.

3:THE ASSAM PUBLIC SERVICE COMMISSION.

Advocate for the Petitioner : MR.M P SARMA
Advocate for the Respondent : SC
APSC

Linked Case : WP(C) 3931/2017

1:ARUP MANTA and ANR.
S/O- LATE BIPIN MANTA
PERMANENT RESIDENT OF DIPHU
NEAR PANCHAYAT OFFICE
PIN- 782460
DIST- KARBI-ANGLONG
ASSAM

2: MANALISHA CHOUDHURY
W/O- SHYAMANTA KUMAR BARUAH
R/O- YAMINI PATH
JANAKPUR
KAHILIPARA
GUWAHATI
PIN- 781019
KAMRUP
METROPOLITAN DISTRICT
ASSAM
VERSUS

1:THE STATE OF ASSAM and 4 ORS.
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
HOME AND POLITICAL DEPTT.
DISPUR

GUWAHATI
PIN- 781006

2:THE SECRETARY
TO THE GOVT OF ASSAM
PERSONNEL DEPTT.
DISPUR
GUWAHATI
PIN- 781006
KAMRUP METRO DISTRICT
ASSAM

3:THE DIRECTOR
DIRECTORATE OF FORENSIC SCIENCE
ASSAM
KAHILIPARA
GUWAHATI
PIN- 781019
KAMRUP METROPOLITAN DIST
ASSAM

4:ASSAM PUBLIC SERVICE COMMISSION
REP. BY ITS CHAIRMAN
JAWAHARNAGAR
KHANAPARA
GUWAHATI
PIN- 781022
KAMRUP METROPOLITAN DIST
ASSAM

5:THE SECRETARY
APSC
JAWAHARNAGAR
KHANAPARA
GUWAHATI
PIN- 22
KAMRUP METRO DIST
ASSAM

6:DR. POJUL LOYING
S/O- SRI GOJENDRA NATH LOYING
R/O- VILL- GULUNG TEMERA
P.O.- BADULIPARA
P.S.- DERGAON
DIST- GOLAGHAT
ASSAM
PIN- 785611.

Advocate for the Petitioner : MR.M K MISRA
Advocate for the Respondent : MR. S DEKAR-6

Linked Case : WP(C) 2278/2017

1:BAPUKAN CHOUDHURY
S/O. SRI ISHA HAQUE CHOUDHURY
VILL. KAPALKATA
P.O. and P.S. SONAPUR
DIST. KAMRUP M
ASSAM.

VERSUS

1:THE STATE OF ASSAM AND 2 ORS
REP. BY COMMISSIONER and SECY. TO THE GOVT. OF ASSAM
HOME A DEPTT.
DISPUR
GHY.-06
KAMRUP M
ASSAM.

2:ASSAM PUBLIC SERVICE COMMISSION
KHANAPARA
JAWAHAR NAGAR
GHY.-22
KAMRUP M
ASSAM.

3:DIRECTOR
DIRECTORATE OF FORENSIC SCIENCE
ASSAM
KAHILIPARA
GHY.-19
KAMRUP M
ASSAM.

Advocate for the Petitioner : MR.A K SHARMA
Advocate for the Respondent : SC
APSC

Linked Case : WP(C) 7652/2017

1:DR. SMT. MANALISHA CHOUDHURY
W/O. SHYAMANTA KUMAR BARUAH
R/O. YAMINI PATH
JANAKPUR
KAHILIPARA
GUWAHATI
PIN-781019
KAMRUP M DISTRICT
ASSAM.

VERSUS

1:THE STATE OF ASSAM and 6 ORS.
REP. BY THE COMM. and SECY. TO THE GOVT. OF ASSAM
HOME and POLITICAL DEPTT.
DISPUR
GHY.
PIN-781006
KAMRUP M DISTRICT
ASSAM.

2:THE SECRETARY
TO THE GOVT. OF ASSAM
PERSONNEL DEPTT.
DISPUR
GHY.-781006
KAMRUP M DISTRICT
ASSAM.

3:THE SECRETARY
TO THE GOVT. OF ASSAM
ELFARE OF PLAIN TRIBES and BACKWAR CLASSES DEPTT.
DISPUR
GUWAHATI
PIN-781006
KAMRUP M DISTRICT
ASSAM.

4:THE DIRECTOR
DIRECTORATE OF FORENSIC SCIENCE
ASSAM
KAHILIPARA
GUWAHATI
PIN-781019
KAMRUP M DISTRICT
ASSAM.

5:ASSAM PUBLIC SERVICE COMMISSION
REP. BY ITS CHAIRMAN JAWAHARNAGAR
KHANAPARA
GUWAHATI
PIN-781022
KAMRUP M DISTRICT
ASSAM.

6:THE SECRETARY
ASSAM PUBLIC SERVICE COMMISSION
JAWAHARNAGAR
KHANAPARA
GUWAHATI
PIN-781022
KAMRUP M DISTRICT
ASSAM.

7:THE DY. SECRETARY
ASSAM PUBLIC SERVICE COMMISSION
JAWAHARNAGAR
KHANAPARA
GUWAHATI
PIN-781022
KAMRUP M DISTRICT
ASSAM.

Advocate for the Petitioner : MR.N J CHOUDHURY
Advocate for the Respondent : GA
ASSAM

Linked Case : WP(C) 4200/2017

1:RENU BORAH HANDIQUE
W/O- SRI DEEPAK HANDIQUE
R/O- H NO.8
NEAR 10TH APBN GATE
KAHILIPARA
P.S- DISPUR
GUWAHATI-19
DIST- KAMRUPM
ASSAM

VERSUS

1:THE STATE OF ASSAM and 6 ORS.

REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
DEPTT.
OF HOME
DISPUR
GUWAHATI-6

2:THE COMMISSIONER AND SECRETARY
TO THE GOVT OF ASSAM
DEPARTMENT OF PERSONNEL
DISPUR
GUWAHATI-6

3:THE SECRETARY
TO THE GOVT OF ASSAM
DEPARTMENT OF HOME
DISPUR
GUWAHATI-6

4:THE DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI
GUWAHATI-6

5:THE DIRECTOR
DIRECTORATE OF FORENSIC SCIENCE
ASSAM
KAHILIPARA
GUWAHATI-6

6:THE ASSAM PUBLIC SERVICE COMMISSION
REP. BY THE CHAIRMAN
APSC
KHANAPARA
GUWAHATI-22

7:DR. POJUL LOYING
S/O. SRI GOJENDRA NATH LOYING
R/O. GULUNG TEMERA
P.O. BADULIPARA
P.S. DERGAON
DIST. GOLAGHAT
ASSAM
PIN-785611.

Advocate for the Petitioner : MR.D K BAGCHI
Advocate for the Respondent : GA
ASSAM

**BEFORE
HONOURABLE MR. JUSTICE N. KOTISWAR SINGH**

ORDER

Date : 02-05-2019

Heard Mr. U.K. Nair, learned senior counsel assisted by Mr. M. Mahanta, learned counsel for the petitioners in WP(C) 3931/2017, WP(C) 904/2017, WP(C) 4502/2017 and WP(C) 7652/2017; Mr. S. Saikia, learned counsel assisted by Mr. P. Tamuli, learned counsel for the petitioner in WP(C) 4200/2017 and WP(C) 7555/2017 . Also heard Mr. B.D. Goswami, learned Addl. Advocate General for the State assisted by Mr. D. Nath, learned Addl. Sr. Govt. Advocate, Mr. S. K. Talukder and Mr. P. Kakati, learned counsel; Mr. J. Payeng, learned counsel for respondent No. 6 in I.A.(C) No. 2121/2018 in WP(C) No. 3931/2017 & WP(C) 4200/2017 and Mr. G. Choudhury, learned Standing Counsel, APSC.

Hearing concluded in WP(C) No. 3931/2017 and WP(C) 4200/2017. However, list WP(C) No. 3931/2017, WP(C) No. 2278/2017, 4200/2017, WP(C) 7555 and WP(C) 7652/2017 for hearing again on 07.05.2019.

WP(C) No. 904/2017 and WP(C) 4502/2017 shall be delinked from these batches of writ petitions and listed for hearing separately on 07.05.2019.

JUDGE

Comparing Assistant