

GAHC010198282017



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

**Case No. : 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  
ASSA

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) 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) 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 SUMAN SHYAM**

**ORDER**

**Date : 06-09-2018**

Heard Mr. M. Choudhury, learned senior counsel appearing for the petitioner in WP(C) 3931/2017 and WP(C) 7652/2017, Mr. S. Saikia, learned counsel appearing for petitioner in WP(C) 4200/2017 and WP(C) 7555/2017, Mr. A.K. Sharma, learned counsel for the petitioner in WP(C) 2278/2017 and Mr. M.P. Sarma, learned counsel appearing for the petitioner in WP(C) 904/2017 and WP(C) 4502/2017. I have also heard Mr. B. Goswami, learned Additional Advocate General, Assam, appearing for the State, Mr. G. Choudhury, learned Standing Counsel, APSC and Mr. J. Payeng, learned counsel appearing for the private respondents.

Although these matters are fixed today for admission hearing, yet, Mr. G. Choudhury submits that he has been engaged on behalf of the APSC only this morning and, therefore, seeks two weeks' time to prepare and argue the writ petitions. Although Mr. J. Payeng has expressed urgency in the matter stating that the interim order is hampering the interest of his clients, yet, considering the fact that Mr. G. Choudhury has been engaged by the APSC only today morning, I am inclined to grant

adjournment in these cases.

Office is, therefore, directed to list these cases again after two weeks for admission hearing by showing the name of Mr. G. Choudhury, learned Standing Counsel, APSC in the cause list.

If the matters cannot be taken up for disposal for any reason on the next date, the prayer for vacation of the interim order will be considered by this Court.

**JUDGE**

**Sukhamay**

**Comparing Assistant**