

GAHC010187812020



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

**Case No. : WP(C)/28/2021**

BONDITA BORAH  
D/O GOBIN CHANDRA BORAH  
RESIDENT OF VILLAGE CHETIAGAON, WARD NO/ 5, PO AND PS NORTH  
LAKHIMPUR, DIST LAKHIMPUR, ASSAM 787001

VERSUS

1: THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM, DEPARTMENT OF PERSONNEL (B) DISPUR GUWAHATI 781006

2: THE ASSAM PUBLIC SERVICE COMMISSION  
REPRESENTED BY THE CHAIRMAN JAWAHARNAGAR  
KHANAPARA GUWAHATI 781022

3: THE CHAIRMAN ASSAM PUBLIC SERVICE COMMISSION  
JAWAHARNAGAR KHANAPARA GUWAHATI 78102

**Advocate for the Petitioner :**

**Advocate for the Respondent :** SC, PERSONNEL DEPT.

**Linked Case : WP(C)/5169/2020**

NAVIN KUMAR RAY  
S/O RAM UDGAR RAY  
VILLAGE AGBANDHA SAIDING  
PO AGBANDHA BENGALI GAON PS MARGHERITA  
DIST TINSUKIA ASSAM 786187

VERSUS

THE STATE OF ASSAM AND 4 ORS.  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.

OF ASSAM PERSONNEL (A) DEPARTMENT DISPUR GUWAHATI 781006

2:THE ASSAM PUBLIC SERVICE COMMISSION REPRESENTED BY ITS  
CHAIRMAN JAWAHARNAGAR KHANAPARA GUWAHATI ASSAM 781022

3:THE SECRETARY THE ASSAM PUBLIC SERVICE COMMISSION  
KHANAPARA GUWAHATI ASSAM 781022

4:THE JOINT SECRETARY THE ASSAM PUBLIC SERVICE COMMISSION  
KHANAPARA GUWAHATI ASSAM 781022

5:THE PRINCIPAL CONTROLLER OF EXAMINATIONS THE ASSAM PUBLIC  
SERVICE COMMISSION KHANAPARA GUWAHATI ASSAM 781022

Advocate for : MR. S BANIK

Advocate for : SC APSC appearing for THE STATE OF ASSAM AND 4 ORS.

**Linked Case : WP(C)/5248/2020**

BONANI PRIYA RAJKONWAR  
D/O- JAYANTA RAJKONWAR  
PRESENT R/O- H.NO. 19 BYE LANE NO. 3 BISHNUJYOTI PATH  
HATIGAON KAMRUP (M) ASSAM PIN- 781038 PERMANENT R/O- H.NO. 91  
VILL- RONGCHANGI OPP. RONGCHANGI MINI PHC DIBRUGARH ASSAM  
PIN- 786184

VERSUS

1: THE STATE OF ASSAM AND 4 ORS  
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM  
PERSONNEL (A) DISPUR GHY-6 DIST.- KAMRUP (M) ASSAM

2:THE PRINCIPAL SECRETARY GOVT. OF ASSAM PERSONNEL (A) DEPTT.  
DISPUR GHY-6 DIST.- KAMRUP (M) ASSAM

3:THE ASSAM PUBLIC SERVICE COMMISSION REP. BY ITS CHAIRMAN  
JAWAHARNAGAR KHANAPARA GHY-22 DIST.- KAMRUP (M) ASSAM

4:THE SECRETARY ASSAM PUBLIC SERVICE COMMISSION  
JAWAHARNAGAR KHANAPARA GHY-22 DIST.- KAMRUP (M) ASSAM

5:THE JOINT SECRETARY  
ASSAM PUBLIC SERVICE COMMISSION  
JAWAHARNAGAR KHANAPARA GHY-22 DIST.- KAMRUP (M) ASSAM

Advocate for : MR F KHAN

Advocate for : GA ASSAM appearing for THE STATE OF ASSAM AND 4 ORS

**- B E F O R E -**  
**HON'BLE THE CHIEF JUSTICE MR. SUDHANSHU DHULIA**  
**HON'BLE MR. JUSTICE KAKHETO SEMA**

**ORDER**

**Date : 02-11-2021**

Heard Mr. S. Banik, learned counsel for the petitioner; Mr. D. Saikia, learned Advocate General, Assam, appearing for the respondent No.1 and Mr. T.J. Mahanta, learned senior standing counsel, APSC, appearing for the respondent Nos.2 & 3. Also heard Mrs. N. Deka, Mr. V. Rajkhowa and Ms. S. Kemprai, learned counsels, appearing for the newly impleaded respondents, whose impleadment have been allowed by separate orders passed today in I.A. (Civil) No.1808/2021; I.A. (Civil) No.1818/2021 and I.A. (Civil) No.1824/2021.

The learned counsels appearing for the respondents shall file their counter affidavits in the petition within a period of three weeks from today.

List on ***29<sup>th</sup> November, 2021.***

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**