

GAHC010104562022



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

Case No. : I.A.(Civil)/1572/2022

) THE ASSAM PUBLIC SERVICE COMMISSION
REPRESENTED BY THE SECRETARY, THE ASSAM PUBLIC SERVICE
COMMISSION JAWAHARNAGAR, KHANAPARA, GUWAHATI 781022

2: THE SECRETARY
ASSAM PUBLIC SERVICE COMMISSION
JAWAHARNAGAR
KHANAPARA
GUWAHATI 78102

VERSUS

BONDITA BORAH AND 16 ORS.
D/O GOBIN CHANDRA BORAH RESIDENT OF VILLAGE CHETIAGAON,
WARD NO/ 5, PO AND PS NORTH LAKHIMPUR, DIST LAKHIMPUR, ASSAM
787001

2:SRI AARON TERON
S/O- NAREN TERON
VILL.- RUKASEN
P.O. AND P.S.- DIPHU
DIST.- KARBI ANGLONG.

3:SRI BHOMKLARCHEN SINGNAR
S/O- SRI KANGBURA SINGNAR
VILL.- CHEPHONGSAJIR
P.O. AND P.S.- DIPHU
DIST.- KARBI ANGLONG.

4:SRI BARNEL BEY
S/O- SRI LONGKI BEY
VILL.- RONGKIMI
P.O. AND P.S.- DIPHU
DIST.- KARBI ANGLONG.

5:UJJAL NATH
S/O- LIPIKA NATH
R/O- BLOCK ROAD
CHOUDHURY VILLA
RAMKRISHNA NAGAR
DIST.- KARIMGANJ
ASSAM
PIN- 788166.

6:PRANAB DAS
S/O- PRADIP CHANDRA DAS
R/O- NEAR NETWORK COUNTER
P.O.- IRONGMARA
DIST.- CACHAR
ASSAM
PIN- 788011.

7:PARTHA JYOTI DAS
H/NO.- 47
LANE NO. 27
VIVEKANANDA ROAD
SILCHAR
DIST.- CACHAR
ASSAM
PIN- 788007.

8:PATHIKRIT AHMED
S/O- SAMSUDDIN AHMED
R/O- NEAR ELLAHI MASJID
ELLAHI MASJID ROAD
DEORAIL BADARPUR
DIST.- KARIMGANJ
ASSAM
PIN- 78886.

9:REBIKA MAIBANGSA
D/O- NRIPENDRA MAIBANGSA
R/O- DIRIK
HALFLONG
DIST.- DIMA HASAO
ASSAM.

10:DIVIDITA JOHARI
D/O- BONIL JOHARI
R/O- JOHAYA RAJEE
HALFLONG
DIST.- DIMA HASAO

ASSAM.

11:ABRINA HALFLONGBAR
D/O- AJIT HALFLONGBAR
R/O- SURAT NAGAR
HALFLONG
DIST.- DIMA HASAO
ASSAM.

12:THANGHOULIEN LIEUTHANG
S/O- PAWKHOLAL LIEUTHANG
CIRCUIT HOUSE ROAD
HALFLONG
DIST.- DIMA HASAO
ASSAM.

13:PHOJEN BATHARI
S/O- JAPAN BATHARI
R/O- MAHUR
DIST.- DIMA HASAO
ASSAM.

14:SATLUNSANG LUNKIM
S/O- LHUNHAO LUNKIM
R/O- MAHUR
DIST.- DIMA HASAO
ASSAM.

15:VISHAL THAPA
S/O- LT. PREM THAPA
R/O- KANA BASTI
HALFLONG
DIST.- DIMA HASAO
ASSAM.

16:SIDHARTHA SARMAH
S/O. SRI MRINAL SARMAH
R/O. BETBARI
GHILAGURI
P.O. BETBARI ALIMUR
DIST. SIVASAGAR
PIN-785009.

17:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM
DEPARTMENT OF PERSONNEL (B) DISPUR GUWAHATI 78100

Advocate for the Petitioner : MR. T J MAHANTA

Advocate for the Respondent : MR. S S SAIKIA

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

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

Linked Case : PIL/83/2021

SIDHARTHA SARMAH
S/O SRI MRINAL SARMAH
R/O BETBARI
GHILAGURI
P.O.-BETBARI ALIMUR
DIST- SIVASAGAR
PIN-785009

VERSUS

THE STATE OF ASSAM AND 3 ORS.
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM
DISPUR-06
KAMRUP(M)
GUWAHATI
ASSAM

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF PERSONAL (B)
DISPUR-06

KAMRUP(M)
GUWAHATI
ASSAM
3:THE ASSAM PUBLIC SERVICE COMMISSION
REPRESENTED BY ITS CHAIRMAN
JAWAHAR NAGAR
KHANAPARA-781002

KAMRUP(M)
ASSAM
4:THE SECRETARY
THE ASSAM PUBLIC SERVICE COMMISSION
JAWAHAR NAGAR
KHANAPARA-22
GUWAHATI
KAMRUP (M)
ASSAM

Advocate for : MR. K N CHOUDHURY
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 3 ORS.

Linked Case : I.A.(Civil)/79/2022

THE ASSAM PUBLIC SERVICE COMMISSION AND ANR.
REPRESENTED BY ITS CHAIRMAN
JAWAHAR NAGAR
KHANAPARA-781002
KAMRUP(M)
ASSAM

2: THE SECRETARY
THE ASSAM PUBLIC SERVICE COMMISSION
JAWAHAR NAGAR
KHANAPARA-22
GUWAHATI
KAMRUP (M)
ASSAM
VERSUS

SIDHARTHA SARMAH AND 2 ORS.
S/O SRI MRINAL SARMAH
R/O BETBARI
GHILAGURI
P.O.-BETBARI ALIMUR
DIST- SIVASAGAR
PIN-785009

2:THE STATE OF ASSAM

REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF
ASSAM

DISPUR

GUWAHATI 06

ASSAM.

3:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM

DEPARTMENT OF PERSONAL (B)

DISPUR-06

KAMRUP(M)

GUWAHATI

ASSAM

Advocate for : MR. T J MAHANTA

Advocate for : MR. S HAZARIKA appearing for SIDHARTHA SARMAH AND 2
ORS.

Linked Case : I.A.(Civil)/2370/2021

THE ASSAM PUBLIC SERVICE COMMISSION

REPRESENTED BY ITS SECY.

JAWAHARNAGAR

KHANAPARA

GUWAHATI 781022

VERSUS

BONDITA BORAH AND 17 ORS.

D/O GOBIN CHANDRA BORAH

R/O VILL. CHETIAGAON

WARD NO. 5

P.O. AND P.S. NORTH LAKHIMPUR

DIST. LAKHIMPUR (ASSAM)

PIN 787001

2:NAVIN KUMAR RAY

S/O RAM UDGAR RAY

VILL. AGBANDHA SAIDING

P.O. AGBANDHA BENGALIGAON

P.S. MARGHERITA

DIST. TINSUKIA

ASSAM

PIN 786187
3: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
4:THE STATE OF ASSAM

REPRESENTED BY THE COMMISSIONER AND SECY. TO THE GOVT. OF
ASSAM
DEPTT. OF PERSONNEL (A)
DISPUR
GUWAHATI 781006
5:AARON TERON

S/O NAREN TERON
VILL. RUKASEN
P.O. AND P.S. DIPHU
DIST. KARBI ANGLONG.
6:BHOMKLARCHEN SINGNAR

S/O SRI KANBURA SINGNAR
VILL. CHEPHONGSAJIR
VILL. CHEPHONGSAJIR
P.O. AND P.S. DIPHU
DIST. KARBI ANGLONG
7:BARNEL BEY

S/O SRI LONGKI BEY
VILL. RONGKIMI
P.O. AND P.S. DIPHU
DIST. KARBI ANGLONG
8:UJJAL NATH

S/O LIPIKA NATH
R/O BLOCK ROAD CHOUDHURY
VILL. RAMKRISHNA NAGAR
DIST. KARIMGANJ
ASSAM
PIN 788166

9:PRANAB DAS

S/O PRADIP CH. DAS
R/O NEAR NETWORK COUNTER
P.O. IRONGMARA
DIST. CACHAR
ASSAM
PIN 788011
10:PARTHA JYOTI DAS

H/NO 47
LANE NO. 27
VIVEKANANDA ROAD
SILCHAR
DIST. CACHAR
ASSAM
PIN 788007
11:PATHIKRIT AHMED

S/O SAMSUDDIN AHMED
R/O NEAR ELLAHI MASJID
ELLAHI MASJJID ROAD
DEORAIL BADARPUR
DIST. KARIMGANJ
ASSAM
PIN 788806
12:REBIKA MAIBANGSA

D/O NRIPENDRA MAIBANGSA
R/O DIRIK
HALFLONG
DIST. DIMA HASAO
ASSAM
13:DIVIDITA JOHARI

D/O BONIL JOHARI
R/O JOHAYARAJEE
HALFLONG
DIST. DIMA HASAO
ASSAM.
14:ABRINA HALFLONGBAR

D/O AJIT HALFLONGBAR
R/O SURAT NAGAR
HALFLONG
DIST. DIMA HASAO
ASSAM.
15:THANGHOULIEN LIEUTHANG

S/O PAWKHOLAL LIEUTHANG
CIRCUIT HOUSE ROAD
HALFLONG
DIST. DIMA HASAO
ASSAM.
16:PHOJEN BATHARI

S/O JAPAN BATHARI
R/O MAHUR
DIST. DIMA HASAO
ASSAM.
17:SATLUNSANG LUNKIM

S/O LHUNHAO LUNKIM
R/O MAHUR
DIST. DIMA HASAO
ASSAM.
18:VISHAL THAPA

S/O LT. PREM THAPA
R/O KANA BASTI
HALFLONG
DIST. DIMA HASAO
ASSAM.

Advocate for : MR. T J MAHANTA

Advocate for : MR. M K SARMA appearing for BONDITA BORAH AND 17 ORS.

Linked Case : 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

THE STATE OF ASSAM AND 16 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 781022

4:SRI AARON TERON
S/O- NAREN TERON

VILL.- RUKASEN
P.O. AND P.S.- DIPHU
DIST.- KARBI ANGLONG.

5:SRI BHOMKLARCHEN SINGNAR

S/O- SRI KANGBURA SINGNAR

VILL.- CHEPHONGSAJIR
P.O. AND P.S.- DIPHU
DIST.- KARBI ANGLONG.

6:SRI BARNEL BEY

S/O- SRI LONGKI BEY

VILL.- RONGKIMI
P.O. AND P.S.- DIPHU
DIST.- KARBI ANGLONG.

7:UJJAL NATH

S/O- LIPIKA NATH

R/O- BLOCK ROAD
CHOUDHURY VILLA
RAMKRISHNA NAGAR
DIST.- KARIMGANJ

ASSAM
PIN- 788166.

8:PRANAB DAS

S/O- PRADIP CHANDRA DAS

R/O- NEAR NETWORK COUNTER
P.O.- IRONGMARA
DIST.- CACHAR

ASSAM
PIN- 788011.

9:PARTHA JYOTI DAS

H/NO.- 47

LANE NO. 27
VIVEKANANDA ROAD
SILCHAR
DIST.- CACHAR

ASSAM

PIN- 788007.
10:PATHIKRIT AHMED
S/O- SAMSUDDIN AHMED
R/O- NEAR ELLAHI MASJID
ELLAHI MASJID ROAD
DEORAIL BADARPUR
DIST.- KARIMGANJ
ASSAM
PIN- 78886.
11:REBIKA MAIBANGSA
D/O- NRIPENDRA MAIBANGSA
R/O- DIRIK
HALFLONG
DIST.- DIMA HASAO
ASSAM.
12:DIVIDITA JOHARI
D/O- BONIL JOHARI
R/O- JOHAYA RAJEE
HALFLONG
DIST.- DIMA HASAO
ASSAM.
13:ABRINA HALFLONGBAR
D/O- AJIT HALFLONGBAR
R/O- SURAT NAGAR
HALFLONG
DIST.- DIMA HASAO
ASSAM.
14:THANGHOULIEN LIEUTHANG
S/O- PAWKHOLAL LIEUTHANG
CIRCUIT HOUSE ROAD
HALFLONG
DIST.- DIMA HASAO
ASSAM.
15:PHOJEN BATHARI
S/O- JAPAN BATHARI
R/O- MAHUR
DIST.- DIMA HASAO
ASSAM.
16:SATLUNSANG LUNKIM
S/O- LHUNHAO LUNKIM
R/O- MAHUR
DIST.- DIMA HASAO
ASSAM.
17:VISHAL THAPA
S/O- LT. PREM THAPA
R/O- KANA BASTI
HALFLONG
DIST.- DIMA HASAO

ASSAM.
18:SIDHARTHA SARMAH
S/O. SRI MRINAL SARMAH
R/O. BETBARI
GHILAGURI
P.O. BETBARI ALIMUR
DIST. SIVASAGAR
PIN-785009.

Advocate for :
Advocate for : SC
PERSONNEL DEPT. appearing for THE STATE OF ASSAM AND 16 ORS

Linked Case : I.A.(Civil)/1719/2022

THE ASSAM PUBLIC SERVICE COMMISSION AND ANR.
REPRESENTED BY THE CHAIRMAN
JAWAHARNAGAR
KHANAPARA
GUWAHATI 781022

2: THE SECRETARY
THE ASSAM PUBLIC SERVICE COMMISSION

JAWAHAR NAGAR
KHANAPARA
GUWAHATI 781022
ASSAM
VERSUS

BONDITA BORAH AND 16 ORS.
D/O GOBIN CHANDRA BORAH RESIDENT OF VILLAGE CHETIAGAON
WARD NO/ 5
PO AND PS NORTH LAKHIMPUR
DIST LAKHIMPUR
ASSAM 787001

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

3:AARON TERON
SON OF NAREN TERON
VILLAGE RUKASEN
P.O. AND P.S. DIPHU
DISTRICT KARBI ANGLONG.

4:SRI BHOMKLARCHEN SINGNAR
S/O- SRI KANGBURA SINGNAR
VILL.- CHEPHONGSAJIR
R/O MAHUR
DISTRICT DIMA HASAO
5:SRI BARNEL BEY
S/O- SRI LONGKI BEY
VILL.- RONGKIMI
P.O. AND P.S.- DIPHU
DIST.- KARBI ANGLONG
6:UJJAL NATH
S/O- LIPIKA NATH
R/O- BLOCK ROAD
CHOUDHURY VILLA
RAMKRISHNA NAGAR
DIST.- KARIMGANJ
ASSAM
PIN- 788166.
7:PRANAB DAS
S/O- PRADIP CHANDRA DAS
R/O- NEAR NETWORK COUNTER
P.O.- IRONGMARA
DIST.- CACHAR
ASSAM
PIN- 788011.
8:PARTHA JYOTI DAS
H/NO.- 47
LANE NO. 27
VIVEKANANDA ROAD
SILCHAR
DIST.- CACHAR
ASSAM
PIN- 788007.
9:PATHIKRIT AHMED
S/O- SAMSUDDIN AHMED
R/O- NEAR ELLAHI MASJID
ELLAHI MASJID ROAD
DEORAIL BADARPUR
DIST.- KARIMGANJ
ASSAM
PIN- 78886.
10:REBIKA MAIBANGSA
D/O- NRIPENDRA MAIBANGSA
R/O- DIRIK
HALFLONG
DIST.- DIMA HASAO
ASSAM.
11:DIVIDITA JOHARI

D/O- BONIL JOHARI
R/O- JOHAYA RAJEE
HALFLONG
DIST.- DIMA HASAO
ASSAM.

12:ABRINA HALFLONGBAR
D/O- AJIT HALFLONGBAR
R/O- SURAT NAGAR
HALFLONG
DIST.- DIMA HASAO
ASSAM.

13:THANGHOULIEN LIEUTHANG
S/O- PAWKHOLAL LIEUTHANG
CIRCUIT HOUSE ROAD
HALFLONG
DIST.- DIMA HASAO
ASSAM.

14:PHOJEN BATHARI
S/O- JAPAN BATHARI
R/O- MAHUR
DIST.- DIMA HASAO
ASSAM.

15:SATLUNSANG LUNKIM
S/O- LHUNHAO LUNKIM
R/O- MAHUR
DIST.- DIMA HASAO
ASSAM.

16:VISHAL THAPA
S/O- LT. PREM THAPA
R/O- KANA BASTI
HALFLONG
DIST.- DIMA HASAO
ASSAM.

17:SIDHARTHA SARMAH
S/O. SRI MRINAL SARMAH
R/O. BETBARI
GHILAGURI
P.O. BETBARI ALIMUR
DIST. SIVASAGAR
PIN-785009.

Advocate for : SC
APSC

Advocate for : MS S S SAIKIA appearing for BONDITA BORAH AND 16 ORS.

DHRITIDEEP DAS
S/O SRI KHANIN DAS
R/O BTC ROAD
HOWLY TOWN
P.O. AND P.S.-HOWLY
DIST- BARPETA
ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT OF ASSAM
DISPUR-06
KAMRUP(M)
GUWAHATI
ASSAM

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF PERSONAL (B)
DISPUR-06
KAMRUP(M)
GUWAHATI
ASSAM

3:THE ASSAM PUBLIC SERVICE COMMISSION
REPRESENTED BY ITS CHAIRMAN
JAWAHAR NAGAR
KHANAPARA-781002
KAMRUP(M)
ASSAM

4:THE SECRETARY THE ASSAM PUBLIC SERVICE COMMISSION
JAWAHAR NAGAR
KHANAPARA-22
GUWAHATI
KAMRUP(M)
ASSAM

Advocate for : MR. K N CHOUDHURY
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 3 ORS

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.

BEFORE
HON'BLE THE CHIEF JUSTICE(ACTING)
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

Date : 15.06.2022

Heard Mr. P. P. Dutta, learned Standing Counsel, APSC, appearing for the applicants. Also heard Mr. F. Khan, learned counsel appearing for the petitioner in WP(C) 5248/2020 and Mr. D. Saikia, learned Advocate General, Assam, assisted by Mr. R. Baruah, learned counsel appearing for the State respondent.

Mr. K. N. Choudhury, learned Senior Counsel appearing for the petitioner in PIL 83/2021 prays for time to file objection to the Interlocutory Application [IA(Civil) 1572/2022)] filed by the APSC.

Prayer is allowed.

List these matters again on 28.06.2022.

JUDGE

CHIEF JUSTICE (ACTING)

Comparing Assistant