

GAHC010000502023



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

Case No. : WP(C)/217/2023

RAJIB ROY
S/O-RATHIN ROY,
R/O- WARD NO-14, COLLEGE ROAD,
P.O- BILASHIPARA, DIST- DHUBRI, ASSAM, PIN-781022

VERSUS

THE STATE OF ASSAM AND 7 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
ENVIRONMENT AND FOREST DEPTT. JANATA BHAVAN, DISPUR,
GUWAHATI-6

2:PRINCIPAL CHIEF CONSERVATOR OF FOREST
ARANYA BHAWAN
PANJABARI
GUWAHATI-781037
ASSAM

3:THE CONSERVATOR OF FOREST
O/O THE PCCF

ARANYA BHAWAN PANJABARI GUWAHATI-781037

4:THE SELECTION COMMITTEE
FOR THE POST OF FORESTER GRADE -1

REP. BY THE PRINCIPAL CHIEF CONSERVATOR OF FOREST
ASSAM
ARANYA BHAWAN PANJABARI GUWAHATI-781037
ASSAM

5:RUPAMONI SAIKIA

D/O- LATE GANESH CH. SAIKIA

R/O- VILLAGE TITABAR BIBIJAN GAON

P.O- TITABAR

DIST- JORHAT

PIN-785630

6:GAYATRI GOGOI

D/O- RAMANANDA GOGOI

R/O- H/NO-43

NEAR ROAD SHAH L.P SCHOOL

TINIALI

MILANPUR ROAD

CHANDMARI

P.O- BAMUNIMAIDAM

DIST- KAMRUP (M)

PIN-781021

7:PRANITA BARUAH

D/O- LATE RAMESH CH. SEAL

R/O- VILLAGE BARNALIKUCHI

P.O- PATACHARKUCHI

DIST- BARPETA

PIN-781326

8:NAMITA ROY

D/O-JITENDRA NATH ROY

R/O- VILLAGE KAIMARI PART -1

P.O- KAIMARI

DIST- DHUBRI

PIN-78333

Advocate for the Petitioner : MR. J KALITA, MS. S. KAR

Advocate for the Respondent : SC, FOREST,

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

27.05.2025

Heard Mr. J Kalita, learned counsel for the petitioner. Also heard Mr. I Borthakur, learned Standing Counsel, Forest Department.

2. By order dated 05.02.2025, this Court directed the Principal Chief Conservator of Forests and Head of Forest Force, Government of Assam (PCCF-cum-HoFF) to place before the Court the records in original pertaining to the recruitment to the post of Forester Grade-I, which is the subject matter in the present writ petition. Several opportunities thereafter were given, however, records have not been produced till date.

3. Mr. I Borthakur, learned Standing Counsel for the Forest Department submits that the records were handed over to the then learned State Counsel in connection with WP(C) No.1424/2016. However, thereafter the records have not been received back. This explanation is not acceptable to the Court. If the records have been mis-placed, the learned Standing Counsel, Forest Department will intimate the Court as to what steps and follow up action has been taken

thereto. He will further clarify whether any efforts have been made to reconstruct the records using other corresponding documents available in the office. It is also seen that the respondents have filed an affidavit on 16.08.2023 and averments made in the said affidavit and the paragraphs where such averments are made as "matters of record" have been sworn accordingly in the said affidavit. This affidavit was filed by one Shri Mahendra Kumar Yadav, the then PCCF-cum-HoFF who, as informed by the learned Standing Counsel, has demitted office as of date. This Court permits further 1 (one) week's time to Mr. I. Borthakur, learned Standing Counsel, Forest Department to complete his instructions as to the status of the records which this Court had earlier directed to be produced before the Court.

4. List the matter again on 13.06.2025.

5. It is made clear that if the explanation by the respondent is not found to be satisfactory, this Court may proceed to pass consequential order.

6. A copy of this order be marked to Mr. I Borthakur, learned Standing Counsel, Forest Department.

JUDGE

Comparing Assistant