GAHC010005852020

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

Case No. : WP(C) 268/2020

1:S/358609F WARRANT OFFICER/CIPHER MOIRUM HUSSAIN LASKAR AND 35 ORS.
S/O RASHID ALI LASKAR, VILL.ANDP.O. - SAIDPUR PART-V, DISTRICT-CACHAR, ASSAM PIN 788013,
PRESENTLY SERVING AT 40TH ASSAM RIFLES, C/O 99 APO, PIN 932040.

2: S/358432Y WARRANT OFFICER/ CIPHER MD. IMAM ALI
S/O LATE MD. RASIS UDDIN
VILL.ANDP.O.
BECHAMARI
DIST.- NAGAON
ASSAM PIN 782123
PRESENTLY SERVING AT 3RD ASSAM RIFLES C/O 99
APO
PIN 932003.

3: S/ 358101X WARRANT OFFICER/ CIPHER RAJESH KUMAR
PRESENTLY SERVING AT 5TH ASSAM RIFLES C/O 99 APO
PIN 932005.

4: S/358112 WARRANT OFFICER/ CIPHER KOMALKANT SHARMA
PRESENTLY SERVING AT 36TH ASSAM RIFLES C/O99 APO
PIN 932036

5: S/ 358132 WARRANT OFFICER/ CIPHER SOMESHWAR SINGH NARYAL
PRESENTLY SERVING AT 30TH ASSAM RIFLES C/O 99 APO
PIN 932030.

6: S/ 358113N WARRANT OFFICER/ CIPHER RAJ KUMAR
PRESENTLY SERVING AT 35TH ASSAM RIFLES C/O 99 APO
PIN 932035.

7: S/ 358141F WARRANT OFFICER/ CIPHER HARVINDER SINGH
PRESENTLY SERVING AT 37TH ASSAM RIFLES C/O 99

APO
PIN 932037.

8: S/ 358183L WARRANT OFFICER/ CIPHER NARADPANDIT
PRESENTLY SERVING AT 44TH ASSAM RIFLES C/O 99
APO
PIN 932044.

9: S/ 358253 WARRANT OFFICER/ CIPHER AKHTAR HUSSAIN ANSARI
PRESENTLY SERVING AT 5TH ASSAM RIFLES C/O 99
APO
PIN 932005.

10: S/ 358256M WARRANT OFFICER/ CIPHER TUNTUN KUMAR SINGH
PRESENTLY SERVING AT 44TH ASSAM RIFLES C/O 99
APO
PIN 932044.

11: S/ 358257P WARRANT OFFICER/ CIPHER AIKAS MIA
PRESENTLY SERVING AT HEAD QUARTER 21 SECTOR
ASSAM RIFLES C/O 99 APO.

12: S/ 358274P WARRANT OFFICER/ CIPHER JAGDISH PRASAD
PRESENTLY SERVING AT 45TH ASSAM RIFLES C/O 99
APO
PIN 932045

13: S/ 358276A WARRANT OFFICER/ CIPHER USMAN ALI
PRESENTLY SERVING AT 45TH ASSAM RIFLES C/O 99
APO
PIN 932045

14: S/ 358323M WARRANT OFFICER/ CIPHER BIJU G
PRESENTLY SERVING AT 13TH ASSAM RIFLES C/O 99
APO
PIN 932013

15: S/ 358354M WARRANT OFFICER/ CIPHER GIRISH KUMAR K.K.

PRESENTLY SERVING AT HEAD QUARTER 23 SECTOR
ASSAM RIFLES C/O 99 APO.

16: S/ 358442H WARRANT OFFICER/ CIPHER PRAMOD CG
PRESENTLY SERVING AT 32NDASSAM RIFLES C/O 99 APO
PIN 932032

17: S/ 358456H WARRANT OFFICER/ CIPHER MADAN LAL SHARMA
PRESENTLY SERVING AT 25TH ASSAM RIFLES C/O 99

APO
PIN 932025

18: S/ 358487H WARRANT OFFICER/ CIPHER PS PRADEEP
PRESENTLY SERVING AT 38TH ASSAM RIFLES C/O 99
APO
PIN 932038.

19: S/ 358490H WARRANT OFFICER/ CIPHER AJI P
PRESENTLY SERVING AT HEAD QUARTER 26TH ASSAM
RIFLES C/O 99 APO

20: S/ 358503P WARRANT OFFICER/ CIPHER SANTOSH VARGHESE
PRESENTLY SERVING AT 26TH ASSAM RIFLES C/O 99
APO
PIN 932026.

21: S/ 358553A WARRANT OFFICER/ CIPHER SUBHASH CHANDRA
PRESENTLY SERVING AT 45TH ASSAM RIFLES C/O 99
APO
PIN 932045.

22: S/ 358556N WARRANT OFFICER/ CIPHER YASHKUMAR
PRESENTLY SERVING AT 7TH ASSAM RIFLES C/O 99
APO
PIN 932007

23: S/ 358586L WARRANT OFFICER/ CIPHER SURENDRA PRASAD
PRESENTLY SERVING AT 13TH ASSAM RIFLES
C/O 99 APO
PIN 932013.

24: S/ 358592 WARRANT OFFICER/ CIPHER MATHEW MV
PRESENTLY SERVING AT 11TH ASSAM RIFLES
C/O 99 APO
PIN 932011

25: S/ 358629 WARRANT OFFICER/ CIPHER DIDEESH G. NAIR
PRESENTLY SERVING AT 43RD ASSAM RIFLES C/O 99
APO
PIN 932043

26: S/ 358716 WARRANT OFFICER/ CIPHER PRADIP CHAKRABORTY
PRESENTLY SERVING AT 41STASSAM RIFLES C/O 99
APO
PIN 932041

27: S/ 358742K WARRANT OFFICER/ CIPHER JOHNS

PRESENTLY SERVING AT 45TH ASSAM RIFLES

C/O 99 APO
PIN 932045.

28: S/ 358110Y WARRANT OFFICER/ CIPHER SURESH KUMAR
PRESENTLY SERVING AT HEAD QUARTER DIRECTOR
GENERAL ASSAM RIFLES
SHILLONG

29: S/358139F WARRANT OFFICER/ CIPHER RATTAN SINGH
PRESENTLY SERVING AT HEAD QUARTER DIRECTOR GENERAL
ASSAM RIFLES
SHILLONG

30: S/ 358301 EX HAVILDAR/ CIPHER VINAY KUMAR DUBEY
RETIRED FROM ASSAM RIFLES AS HAVIDAR CIPHER.

31: S/ 358113M EX- HAVILDAR/ CIPHER MAHESH KUMAR SHARMA
RETIRED FROM ASSAM RIFLES AS HAVILDAR CIPHER

32: S/ 358435 EX- HAVILDAR/ CIPHER HENGULSITHOU
RETIRED FROM ASSAM RIFLES AS HAVILDAR/CIPHER

33: S/ 358501K EX- HAVILDAR/ CIPHER SANJEEV KUMAR M
RETIRED FROM ASSAM RIFLES AS HAVILDAR CIPHER

34: AR- 331 F DEPUTY COMMANDANT MANOJ KUMAR
PRESENTLY SERVING AT NATIONAL SECURITY GUARD
DELHI
PIN 110001.

35: AR- 332K DEPUTY COMMANDANT ABDUL RAZZAK
PRESENTLY SERVING AT HEAD QUARTER 6 SECTOR ASSAM RIFLES C/O
99 APO

36: AR- 380K ASSISTANT COMMANDANT BINUSAMUEL
PRESENTLY SERVING AT NDRF BATTALION ASSAM RIFLES
C/O 99 AP

VERSUS

1:THE UNION OF INDIA AND 3 ORS.
REP. BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY OF HOME
AFFAIRS NEW DELHI-110001

2:THE DIRECTOR GENERAL OF ASSAM RIFLES
HEAD QUARTER DIRECTORATE GENERAL ASSAM RIFLES SHILLONG

MEGHALAYA -11

3:THE COMMANDANT
11TH ASSAM RIFLES
HAFLONG. DISTRICT- KARBIANGLONG
ASSAM C/O 99 APO
PIN 932011.

4:THE COMMANDANT
40TH ASSAM RIFLES
C/O 99 APO
PIN 932040

Advocate for the Petitioner : MR. V KUMAR
Advocate for the Respondent : ASSTT.S.G.I.

BEFORE
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

20-01-2020

Heard Mr. B. Pathak, learned counsel for the petitioners and Mr. H. Gupta, learned Central Government Counsel for all the respondent Nos. 1 to 4.

Being aggrieved with the actions on the part of the respondents in not granting proper rank and pay scale to the petitioners, who are presently serving as Cipher/Deputy Commandant in Assam Rifles disregarding their past services, they have preferred this writ petition.

Issue notice, returnable by **26.02.2020.**

As Mr. H. Gupta, learned Central Government Counsel has accepted notice on behalf of all the respondent Nos. 1 to 4, no formal notices need be issued to those respondents.

Petitioners shall serve requisite extra copies of this writ petition along with the annexures appended thereto to Mr. H. Gupta within two day from today.

Pendency of this writ petition shall not be a bar for the respondents to provide proper rank and pay scale to the petitioners as per their entitlement, considering their past services and in accordance with law as well as the Rules in force.

Maintainability of this writ petition is kept open, which shall be considered in its admission stage.

JUDGE

Comparing Assistant