

GAHC010027022026



2026:GAU-AS:2644

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

Case No. : WP(C)/980/2026

SHIBAYAN KAR
S/O SUBRATA KUMAR KAR, R/O RAMAKRISHNA MISSION ROAD, HOUSE
NO. 21 P.O. P.S. SRIBHUMI DIST SRIBHUMI, ASSAM PIN-788710

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, HIGHER EDUCATION TECHNICAL DEPARTMENT, DISPUR,
GUWAHATI-6.

2:THE DIRECTOR OF TECHNICAL EDUCATION

ASSAM
KAHILIPARA
GUWAHATI 19

3:THE PRINCIPAL
KARIMGANJ POLYTECHNIC

MAIZGRAM DIST SRIBHUMI ASSAM
PIN - 788712

4:THE SPIO AND TPO (I C) DIRECTORATE OF TECHNICAL EDUCATION

ASSAM
KAHILIPARA
GUWAHATI -19

Advocate for the Petitioner : MR. D BARUAH, MS. P HANDIQUE,MR. P K BORDOLOI

Advocate for the Respondent : SC, HIGHER EDU,

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO**

ORDER

Date : 23.02.2026

Heard Mr. D. Baruah, learned counsel for the petitioner, who submits that the petitioner along with another person had approached this Court earlier by filing WP(C)/2651/2025 calling for a direction to the respondent authorities to consider them for appointment as lecturers under the provisions of Regulation 3 (f) of the APSC (Limitation and Function) Regulations, 1951. The said writ petition was taken up along with WP(C)/2665/2025 and disposed of vide common order dated 11.09.2025. This Court after noticing that the vacancy status in the Polytechnics of Assam to be filled up through direct recruitment as on 01.09.2025 did not include the post of Lecturer (Technical) in Civil Engineering Department (Annexure-7), declined to pass any favourable order in favour of the petitioners. The instant petitioner not being satisfied applied for certain information regarding the vacancy status in Polytechnics of Assam in Civil Engineering Department through RTI and the response that he received was that there is one post. The learned counsel therefore submits that since there is one post available, a similar direction may be passed for considering the case of the petitioner for appointment to the post in question under Regulation 3(f) as was directed vide order dated 11.09.2025.

It is noticed that if the prayer of the petitioner for passing such a direction is to be accepted, it would probably amount to reviewing the earlier order of this Court through this writ petition. The same in my considered view would not be permissible.

Mr. D. Baruah, learned counsel submits that he may be allowed to withdraw the writ petition with liberty to file appropriate application.

In view of the above, writ petition stands disposed of as withdrawn with liberty to file appropriate application as permissible in law.

Mr. S. Das, learned Standing Counsel appears for the Higher Education Department.

JUDGE

Comparing Assistant