

GAHC010041612023



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

Case No. : WP(C)/1353/2023

RANBIR KAKATI
S/O- LATE SIBA CHANDRA KAKATI,
R/O- R.G BARUAH ROAD, H NO- 54, SAGARIKA BHAWAN,
P.O- ZOO ROAD,
P.S- GEETANAGAR, GUWAHATI-24, ASSAM

VERSUS

THE STATE OF ASSAM AND 10 ORS
REP. BY THE SECRETARY TO THE GOVT OF ASSAM, DEPTT OF
AGRICULTURE , DISPUR, GHY- 781006, ASSAM

2:THE PRINCIPAL SECRETARY
TO THE GOVT OF ASSAM
PERSONNEL (B) DEPARTMENT
SECRETARIAT
DISPUR
GUWAHATI-06
ASSAM

3:THE ADDL. CHIEF SECRETARY SECRETARY
TO THE GOVT OF ASSAM
DEPARTMENT FOR THE WELFARE OF PLAIN TRIBES AND BACKWARD
CLASSES (WPT AND BC)
DISPUR
GUWAHATI-06
ASSAM

4:THE DIRECTOR OF AGRICULTURE
GOVT OF ASSAM
AGRICULTURE COMPLEX
KHANAPARA

GS ROAD
GUWAHATI
PIN- 781022

5:BISWAJIT KR. NATH
EXECUTIVE ENGINEER
AGRICULTURE

O/O THE EXECUTIVE ENGINEER
NAGAON
ASSAM
PIN-782001

6:MOUCHUMI DAS
OSD

O/O THE EXECUTIVE ENGINEER
KAMRUP DIVISION
ULUBARI
ASSAM
PIN-781007

7:RUPAM DAS
EXECUTIVE ENGINEER
AGRICULTURE

O/O THE EXECUTIVE ENGINEER
DIPHU
KARBI ANGLONG
ASSAM
PIN-782460

8:PURANJOY GOSWAMI
EXECUTIVE ENGINEER

O/O THE EXECUTIVE ENGINEER
KAMRUP DIVISION
ULUBARI
ASSAM
PIN-781007

9:PRASANNAJIT SAIKIA
EXECUTIVE ENGINEER
AGRICULTURE

O/O THE EXECUTIVE ENGINEER
TEZPUR
ASSAM

10:SIRAJUL HAQUE BORBHUYAN
OFFICE OF THE CHIEF ENGINEER
AGRICULTURE

DIRECTOR OF AGRICULTURE CAMPUS
KHANAPARA
ASSAM
PIN-781022

11:PRATUL SARMA
EXECUTIVE ENGINEER
AGRICULTURE

O/O THE EXECUTIVE ENGINEER
NALBARI
ASSAM
PIN-78133

Advocate for the Petitioner : MR DEBA SARMAH

Advocate for the Respondent : SC, AGRI. DEPARTMENT

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 15-05-2023

Heard Mr. D. Sarmah, learned counsel for the writ petitioner.

In this writ petition the OM dated 18-01-2023 issued by the State of Assam, Department of Personnel (B) is under challenge.

According to the petitioner, his seniority has been arbitrarily downgraded in the gradation list dated 14-02-2022. Hence, this writ petition.

Ms. G. Bora, learned sanding counsel, Agriculture Department, Assam appearing for the respondent Nos. 1 and 4 and Mr. T.C. Chutia, learned Addl. Sr. Govt. Advocate, Assam

appearing for the respondent No. 2 have submitted that the OM dated 18-01-2023 is under challenge in a batch of writ petitions pending before this Court, but no interim order has been passed therein. The learned departmental counsel, however, prays for some time to seek instruction in the matter and file affidavit.

Issue notice returnable in 06 weeks.

Since Ms. Bora has accepted notice on behalf of respondent Nos. 1 and 4, Mr. Chutia has accepted notice on behalf of respondent No. 2 and Mr. R. Dhar, learned standing counsel, WPT&BC Department, Assam has appeared and accepted notice on behalf of respondent No. 3, no formal notice is required to be sent to the said respondents.

Extra copies of the writ petition, requisite in numbers, be furnished to the learned departmental counsel so as to enable them to obtain instruction and file affidavit.

Petitioner to take steps for service of notice upon the respondent Nos. 5 to 11 by registered post with A/D.

Steps within a week.

Heard on the prayer of interim relief.

The said prayer will be considered on the returnable date.

List this matter along with W.P.(C) No. 636/2023 and the batch of writ petitions.

JUDGE

Comparing Assistant