

GAHC010046182026



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

Case No. : WP(C)/1532/2026

SRI BHASKAR JYOTI DOLEY
SON OF DR. JIBAN CHANDRA DOLEY, RESIDENT OF AAJON GARDEN,
H.NO. 05, TEZPUR UNIVERSITY ROAD, TEZPUR, DISTRICT- SONITPUR,
ASSAM

VERSUS

THE STATE OF ASSAM AND 7 ORS
REPRESENTED BY THE COMMISSIONER AND SPECIAL SECRETARY TO
THE GOVT. OF ASSAM, PUBLIC WORKS DEPARTMENT (PWRD), DISPUR,
GUWAHATI- 781006

2:THE DEPUTY SECRETARY TO THE GOVT. OF ASSAM
ESTT-B BRANCH (CONFIDENTIAL CELL)
PWRD
DISPUR
GUWAHATI- 781006

3:THE CHIEF ENGINEER
CHANDMARI
GUWAHATI-03
DISTRICT- KAMRUP (M)
ASSAM

4:THE EXECUTIVE ENGINEER
UMPANAI ROAD DIVISION
UMPANAI
WEST KARBI ANGLONG
ASSAM
PIN CODE- 782413

5:NITUL DAS (SC)

ASSISTANT EXECUTIVE ENGINEER

6:NINAMONI GOGOI (OBC)
ASSISTANT EXECUTIVE ENGINEER

7:SAILEN TAID (ST)
ASSISTANT EXECUTIVE ENGINEER

8:MANOJ KR BRAHMA (STP)
ASSISTANT EXECUTIVE ENGINEER (NOTICE TO THE RESPONDENT NO. 5
6
7 AND 8 MAY BE SERVED THROUGH THE OFFICE OF THE RESPONDENT
NO.3

Advocate for the Petitioner : MR. B K SEN, F. SHAHIN,N HASAN,P SINGH,MR A HUSSAIN

Advocate for the Respondent : SC, PWD,

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

18.03.2026

Heard Mr. B.K. Sen, learned Legal Aid Counsel appearing for the petitioner and Mr. R. Dhar, learned Additional Senior Government Advocate appearing for the respondent Nos. 1, 2, 3 & 4.

2. The petitioner before this Court is a Scheduled Caste (Plain) and belongs to Miri community. According to him, in the Gradation list published by the Department in respect of Assistant Executive Engineer (Civil) in the joint cadre of Public works (Roads) Department and Public works (Building and National Highway) Department, his position is shown much below to his juniors, more particularly private respondent Nos. 5 to 8. According to the petitioner, his position was placed below the private respondents as his date of birth was wrongly recorded. He has been representing before the authorities for correction of his date of birth, which has not been redressed.

Presently, the petitioner is apprehending that the private respondents and other persons who are his juniors are likely to be considered for promotion to the next higher post of Executive Engineer. It is the claim of the petitioner that if his position was rectified, he would have been in the zone of consideration for being promoted to the next higher post of Executive Engineer. But for the wrong placement of his name in the Gradation list, he is likely to suffer losing his claim for promotion to the next higher post.

3. Earlier the petitioner had filed representations before the authorities and his last representation is dated 06.02.2026, which is filed before the Commissioner and Special Secretary, Government of Assam, Public Works Department, Dispur, where he has ventilated his grievances.

4. The limited prayer of the petitioner being correction of his date of birth and re-arrangement of his name in the Gradation list would however require consideration of the claim vis-a-vis the records available with the Department. The petitioner has also arrayed the persons who may be affected in the event the prayer of the petitioner is allowed as private respondents in the present writ petition.

5. Having perused the writ petition, more particularly, the representation before the Court this Court is of the considered view that ends of justice will be met if the writ petition is disposed of at this stage with a direction to the respondent No.1, namely, the Commissioner and Special Secretary, Government of Assam, Public Works Department, Dispur to examine the claims ventilated by the writ petitioner by his representation dated 06.02.2026 (Annexure-10, page 64 of the writ petition) and thereafter pass effective orders on the same.

6. The respondent No.1 while considering the matter in its entirety, hear

the petitioner and all other aggrieved parties and thereafter pass a speaking order. If the authorities after considering the grievance find that the grievance of the petitioner is justified, then necessary corrective measures will be undertaken without further delay.

7. The petitioner may file a certified copy of this order before the authorities concerned and the representation shall be disposed of within a period of 60(sixty) days from the date of receipt of a certified copy of this order.

8. With the above observations and directions, the writ petition stands disposed of.

JUDGE

Comparing Assistant