

GAHC010120542021



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

Case No. : WP(C)/4319/2021

SHANTANU DHAR AND ANR
S/O LATE SHANTI RANJAN DHAR, R/O HOUSE NO. 19, HARBALA ROAD,
ULUBARI, GUWAHATI-781007, DIST-KAMRUP(M), ASSAM

2: ANIL KUMAR JALAN
S/O PUSHKAR DUTTA JALAN
R/OI FLA NO. 4C
PROTECHVIEW
HENGRABRI ROAD
P.O.-DISPUR
GUWAHATI
ASSAM-78100

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF
ASSAM, DISPUR, GUWAHATI-6

2:THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM
FINANCE (TAXATION) DEPARTMENT
DISPUR
GUWAHATI-06

3:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
FINANCE (TAXATION) DEPARTMENT
DISPUR
GUWAHATI-06

4:THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM
PERSONNEL (B) DEPARTMENT
DISPUR
GUWAHATI-06

5:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
LEGISLATIVE DEPARTMENT
DISPUR
GUWAHATI-06

6:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
WELFARE OF PLAIN TRIBES AND BACKWARD CLASSES DEPARTMENT
DISPUR
GUWAHATI-06

7:KAMALESWAR LAHARY
DEPUTY COMMISSIONER OF TAXES
O/O THE COMMISSIONER OF TAXES
ASSAM
KAR BHAVAN
DISPUR
GUWAHATI-0

Advocate for the Petitioner : MR G BAISHYA, S K HAZARIKA,MD. A HASSAN

Advocate for the Respondent : GA, ASSAM, SC, FINANCE AND TAXATION

Linked Case : WP(C)/3565/2023

SHANTANU DHAR
S/O- LATE SHAHNTI RANJAN DHAR
R/O- HOUSE NO. 19
HARBALA ROAD
ULUBARI
GUWAHATI-781007
DIST. KAMRUP(M)
ASSAM

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GUWAHATI-6.

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FINANCE (TAXATION) DEPARTMENT
DISPUR
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GUWAHATI-06.

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WELFARE OF PLAIN TRIBES AND BACKWARD CLASSES DEPARTMENT
DISPUR
GHY-06.

7:KAMALESWAR LAHARY
DEPUTY COMMISSIONER OF TAXES
O/O- THE COMMISSIONER OF TAXES
ASSAM
KAR BHAVAN
DISPUR
GHY-06.

8:THE DEPARTMENTAL SELECCTION COMMITTEE
FOR PROMOTION TO THE CADRE OF JOINT COMMISSIONER OF TAXES
REPRESENTED BY THE CHIEF SECRETARY
ASSAM

Advocate for : MR G BAISHYA
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 7 ORS

Linked Case : I.A.(Civil)/1945/2021

KAMALESWAR LAHARY
S/O LT. GAURI KANTA LAHARY
DEPUTY COMMISSIONER OF TAXES
O/O THE COMMISSIONER OF TAXES
ASSAM
KAR BHAVAN
DISPUR
GUWAHATI-06

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FINANCE (TAXATION) DEPARTMENT
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FINANCE (TAXATION) DEPARTMENT
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PERSONNEL (B) DEPARTMENT
DISPUR
GUWAHATI-06

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ASSAM
LEGISLATIVE DEPARTMENT
DISPUR
GUWAHATI-06

6:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
WELFARE OF PLAIN TRIBES AND BACKWARD CLASSES DEPARTMENT
DISPUR
GUWAHATI-06

7:SHANTANU DHAR .
S/O-LT. SHANTI RANJAN DHAR
R/O-HOUSE NO.19

HARBALA ROAD
ULUBARI
GHY-07
DIST-KAMRUP (M) ASSAM.

8:ANIL KUMAR JALAN
S/O PUSHKAR DUTTA JALAN
R/OI FLA NO. 4C
PROTECHVIEW
HENGRABRI ROAD
P.O.-DISPUR
GUWAHATI
ASSAM-781006

Advocate for : MR. D K DAS
Advocate for : G. BAISHYA appearing for THE STATE OF ASSAM AND 7 ORS

Linked Case : I.A.(Civil)/2070/2021

SHANTANU DHAR AND ANR
S/O LATE SHANTI RANJAN DHAR
R/O HOUSE NO. 19
HARBALA ROAD
ULUBARI
GUWAHATI-781007
DIST-KAMRUP(M)
ASSAM

2: ANIL KUMAR JALAN
S/O PUSHKAR DUTTA JALAN
R/OI FLA NO. 4C
PROTECHVIEW
HENGRABRI ROAD
P.O.-DISPUR
GUWAHATI
ASSAM-781006
VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE CHIEF SECY. TO THE GOVT. OF ASSAM
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GUWAHATI 6

2:THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM
FINANCE (TAXATION) DEPARTMENT
DISPUR

GUWAHATI-06

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PERSONNEL (B) DEPARTMENT
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DEPUTY COMMISSIONER OF TAXES
O/O THE COMMISSIONER OF TAXES
ASSAM
KAR BHAVAN
DISPUR
GUWAHATI-06

Advocate for : MR G BAISHYA
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 6 ORS

Linked Case : I.A.(Civil)/765/2026

SHANTANU DHAR
S/O- LATE SHAHNTI RANJAN DHAR
R/O- HOUSE NO. 19
HARBALA ROAD
ULUBARI
GUWAHATI-781007
DIST. KAMRUP(M)

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WELFARE OF PLAIN TRIBES AND BACKWARD CLASSES DEPARTMENT
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Advocate for : MR G BAISHYA
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ASSAM appearing for THE STATE OF ASSAM AND ORS

**BEFORE
HONOURABLE MR. JUSTICE RAJESH MAZUMDAR**

ORDER

10.03.2026

Mr. B. Gogoi, learned Additional Advocate General, is to obtain instructions on the limited query raised by this Court.

The learned counsel for the petitioner has pointed out that, the contents of paragraph 'E' of the DPC held on 04.02.2023, have been sought to be overridden by the contents of paragraph 'F' of the same DPC.

The learned Additional Advocate General shall obtain specific instructions as to whether the roster point had been applied during the DPC, overriding the judgment of this Court in the case of *Rakesh Agarwal vs. State of Assam and Others*, reported in (2016) 3 GLT 464.

List these matters again on 17.03.2026.

JUDGE

Comparing Assistant