

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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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 GOVT. OF ASSAM
FINANCE (TAXATION) DEPARTMENT
DISPUR
GUWAHATI-06.

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PERSONNEL (B) DEPARTMENT
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LEGISLATIVE DEPARTMENT
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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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DISPUR
GHY -06.

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FINANCE (TAXATION) DEPARTMENT
DISPUR
GUWAHATI-06

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FINANCE (TAXATION) DEPARTMENT
DISPUR
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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: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

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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
DISPUR
GUWAHATI 6

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

GUWAHATI-06

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FINANCE (TAXATION) DEPARTMENT
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PERSONNEL (B) DEPARTMENT
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5:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
LEGISLATIVE DEPARTMENT
DISPUR
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WELFARE OF PLAIN TRIBES AND BACKWARD CLASSES DEPARTMENT
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7:KAMALESWAR LAHARY
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)

ASSAM

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LEGISLATIVE DEPARTMENT
DISPUR
GUWAHATI-06.

6:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
WELFARE OF PLAIN TRIBES AND BACKWARD CLASSES DEPARTMENT
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O/O- THE COMMISSIONER OF TAXES
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KAR BHAVAN
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8:THE DEPARTMENTAL SELECCTION COMMITTEE
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REPRESENTED BY THE CHIEF SECRETARY
ASSAM

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

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

05.05.2026

Heard Mr. G. Baishya, learned Senior Counsel for the petitioner. Also heard Mr. B. Gogoi, learned Addl. Advocate General for the Finance and Taxation Department; Mr. H. Betala, learned counsel for the respondent No.7 and Mr. A. Benerjee, learned counsel appearing on behalf Mr. R. Dhar, learned Standing Counsel, WPT and BC.

List this matter for further hearing on 07.05.2026.

JUDGE

Comparing Assistant