

GAHC010051622018



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

Case No. : WP(C) 1638/2018

1:ROFIQUL HAQUE MAZUMDER
S/O LATE ABDUL HAQUE MAZUMDER, R/O VILL NITYANANDAPUR PART-I,
PO-KUCHILA BAZAR, DIST. HAILAKANDI (ASSAM)

VERSUS

1:THE STATE OF ASSAM AND 3 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT,
DISPUR, GUWAHATI-6

2:THE COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
PANJABARI
JURIPAR
GUWAHATI-37

3:THE CHIEF EXECUTIVE OFFICER
CACHAR ZILLA PARISHAD
CACHAR
PO AND DIST. CACHAR
ASSAM
PIN-788001

4:THE CHIEF EXECUTIVE OFFICER
HAILAKANDI ZILLA PARISHAD
HAILAKANDI
PO AND DIST. HAILAKAND

Advocate for the Petitioner : MR. A H M R CHOUDHURY

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE HRISHIKESH ROY**

ORDER

21-03-2018.

The petitioner joined service as a Tax Collector, in the year 2010, on *compassionate* ground under the order dated 3.3.2010 (Annexure-1). On 1.8.2015, the petitioner was posted as in-charge Gaon Panchayat Secretary of the Boldaboldi Nandagram Gaon Panchayat. A large number of Gaon Panchayat Secretaries were *transferred* on 7.12.2016 (Annexure-3) and the petitioner at Sl. No.230 (page-20), was posted as a Secretary of the *Mashurbond Gaon Panchayat*, in the Cachar District.

Following the *transfer*, the petitioner received salary upto June, 2017 but since then, the salary payment is stopped, as can be seen from the communication dated 4.8.2017 (Annexure-7), of the Chief Executive Officer of the Cachar Zilla Parishad.

The plea of the petitioner is *regularization* of his service as Gaon Panchayat Secretary and he challenges the advertisement dated 21.12.2017 (Annexure-11), whereby recruitment to the vacancies of Gaon Panchayat Secretaries is proposed, by the Government.

In view of above, let notice returnable in 6 weeks, be issued. Mr. D. Nath, the learned Addl. Sr. Govt. Advocate, accepts notice for all four respondents. Necessary extra copies be furnished to him.

After the returnable date, this case should be tagged with the WP(C) No.1566/2018 (*Shah Alom Mazumder vs. State of Assam*).

JUDGE

Comparing Assistant