

GAHC010067712020



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

Case No. : WP(C) 2110/2020

1:IMDADUL HOQUE LASKAR AND 2 ORS.

S/O- LATE MISBAUL HOQUE LASKAR, RESIDENT OF HOUSE NO. 113,
VILLAGE BOALIPAR PART II, P.O. BOALIPAR BAZAR, P.S. AND DIST-
HAILAKANDI, ASSAM, PIN- 788155.

2: JABIR AHMED LASKAR

S/O LALU MIA LASKAR
ADDRESS- VILLAGE RONGPUR PART II
P.O. RONGPUR BOALIPAR
P.S. KATLICHERRA
DIST- HAILAKANDI
ASSAM
PIN- 788161.

3: MASUM AHMED LASKAR

S/O LATE SHAMS UDDIN LASKAR
ADDRESS- VILL. NITAINAGAR PART-II
P.O. NITAINAGAR
P.S. AND DIST. HAILAKANDI
ASSAM
PIN- 788155

VERSUS

1:THE STATE OF ASSAM AND 4 ORS.

REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, DEPARTMENT OF EDUCATION, DISPUR, GUWAHATI-06.

2:THE DIRECTOR OF TECHNICAL EDUCATION

ASSAM
KAHILIPARA
GUWAHATI-19.

3:ALL INDIA COUNCIL FOR TECHNICAL EDUCATION

NEW DELHI
PIN- 110001.

4:ASSAM SCIENCE AND TECHNOLOGY UNIVERSITY
TO BE REPRESENTED BY THE REGISTRAR
TETELIA ROAD
JALUKBARI
GUWAHATI- 781013.

5:THE CONTROLLER OF EXAMINATION
ASSAM SCIENCE AND TECHNOLOGY UNIVERSITY
TETELIA ROAD
JALUKBARI
GUWAHATI- 781013

Advocate for the Petitioner : MR M J QUADIR

Advocate for the Respondent : SC, HIGHER EDU

BEFORE
HON'BLE MR.JUSTICE N. KOTISWAR SINGH
ORDER

20-03-2020

Heard Mr. M.J. Quadir, learned counsel for the petitioners.

Issue notice, returnable in 3 (three) weeks.

Mr. K. Gogoi, learned Standing Counsel, Higher Secondary Education Department, accepts notice on behalf of the respondent nos. 1 & 2 and Mr. S.C. Keyal, learned Standing Counsel, NCTE accepts notice on behalf of the respondent no.3.

Learned counsel for the petitioners shall take steps for service of notice upon the respondent nos.4 & 5 by registered post with A/D as well as by *Dasti*.

By filing this petition, the petitioners have approached this Court to allow them to appear in the Combined Entrance Examination (CEE), which is conducted for admission to

B.Tech. in Engineering Colleges of State of Assam by the Assam Science & Technology, irrespective of their age limit. As per the advertisement issued for the said examination, it has been provided that a candidate must not be above 21 years of age, on the other hand, the upper age limit of 25 years has been fixed for under graduate MBBS/BDs courses and as such, this is discriminatory.

In that view of the matter, in the interim, the respondent-authorities may allow the petitioners to apply in the CEE manually, if not permissible online, so that, they can appear in the said examination. If they apply for the aforesaid, the petitioners shall be provisionally permitted to appear in CEE and their participation shall be subject to the final outcome of this petition.

List the matter after 3 (three) weeks.

JUDGE

Comparing Assistant