

GAHC010084682024



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

Case No. : WP(C)/2340/2024

JAHANGIR ALOM
S/O- SRI MOJMUL HOQUE, R/O- VILL.- BARUA GAON, P.O. BARUA PATHAR,
P.S. BOKO, DIST. KAMRUP, ASSAM, PIN- 781136.

VERSUS

THE STATE OF ASSAM AND 7 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF
ASSAM, DISPUR, JANATA BHAWAN, GUWAHATI-6.

2:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
PERSONNEL DEPARTMENT
DISPUR
JANATA BHAWAN
GHY-6.

3:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF SOCIAL JUSTICE AND EMPOWERMENT
DISPUR
JANATA BHAWAN
GHY-6.

4:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
HEALTH AND FAMILY WELFARE DEPARTMENT
DISPUR
JANATA BHAWAN
GHY-6.

5:THE STATE LEVEL RECRUITMENT COMMISSION
FOR CLASS-III POSTS
REP. BY ITS CHAIRMAN/ SECRETARY
ASSAM ADMINISTRATIVE STAFF COLLEGE

JAWAHARNAGAR
KHANAPARA
GHY-22.

6:THE CHIEF ENGINEER
IRRIGATION DEPARTMENT
KRISHNA NAGAR
CHANDMARI
GUWAHATI
ASSAM-781003.

7:THE JOINT DIRECTOR OF HEALTH SERVICES
KAMRUP
DIST. KAMRUP
PIN- 781031
ASSAM

8:THE MEDICAL BOARD
REP. BY THE PRINCIPAL -CUM- CHIEF SUPERINTENDENT
GAUHATI MEDICAL COLLEGE AND HOSPITAL
GHY-32
ASSA

Advocate for the Petitioner : MR. S K ROY

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 06.05.2024

Heard Mr. S.K. Roy, learned counsel for the petitioner. Also heard Mr. D. Bora, learned Govt. advocate appearing for respondent nos. 1, 2, Ms. D. Jain, learned standing counsel for respondent no.3, Mr. B. Choudhury, learned standing counsel for respondent no.5, Mr. N. Upadhayay, learned standing counsel for respondent no.6 and Mr. B. Gogoi, learned standing counsel for respondent nos. 4, 7 and 8.

2. Although the names of the petitioner was recommended vide provisional result published on 03.05.2023 by the State Level Recruitment Commission for appointment to Class–III post as a PWD (having permanent chronic neurological condition with benchmark disability), appointment letters have not been issued and apprehension is expressed that one year validity of the select list would expire on 08.05.2024. Hence, this writ petition is filed under Article 226 of the Constitution of India.
3. Issue notice returnable on 14.06.2024.
4. The requisite extra copy of the petition be served on the learned State and departmental counsel in course of the day.
5. Without expressing any opinion on the claim of the petitioner, insofar as the petitioner is concerned, the provisional result declared by the State Level Recruitment Commission for appointment to Class–III post purportedly declared on 03.05.2023 shall stands extended till the next date of listing.
6. Pendency of this writ petition shall not be a bar for the respondent authorities to examine the claim of the petitioner to issue appointment letter, if not already issued and if the petitioner is found entitled to appointment.
7. List on 14.06.2024.

JUDGE

Comparing Assistant