

GAHC010100012025



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

Case No. : WP(C)/2653/2025

TIRTHA NATH HAZARIKA
S/O LATE THANESWAR HAZARIKA, R/O VILL- NARAGAON, P.O.-
NARAGAON, DIST- LAKHIMPUR, ASSAM, PIN-787052

VERSUS

THE STATE OF ASSAM AND 3 ORS.
REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO THE
GOVERNMENT OF ASSAM, FISHERY DEPARTMENT, DISPUR, GUWAHATI-6

2:THE DEPARTMENTAL PROMOTION COMMITTEE
REPRESENTED BY ITS MEMBER SECRETARY -CUM- JOINT SECRETARY
TO THE GOVERNMENT OF ASSAM
FISHERY DEPARTMENT
DISPUR
GUWAHATI-6

3:THE SECRETARY TO THE GOVERNMENT OF ASSAM
PERSONNEL DEPARTMENT
-CUM- MEMBER OF THE DEPARTMENTAL PROMOTION COMMITTEE
DISPUR
GUWAHATI-6

4:THE DIRECTOR OF FISHERIES
ASSAM
MEEN BHAWAN
BIRUBARI
GUWAHATI-1

Advocate for the Petitioner : MR. I H SAIKIA, MR K KASHYAB,MR. B BORAH,MR. K
KALITA

Advocate for the Respondent : SC, FISHERY, MR. P SHARMAH, SC, FISHERY

Linked Case : WP(C)/2421/2025

SRI KULADHAR DEKA AND 4 ORS
S/O. LATE PRASANNA DEKA
R/O. GEETANAGAR
P.O. BAMUNI MAIDAM
DIST. KAMRUP (METRO)
ASSAM
PIN- 781021.

2: MD. MAHBUBUR RAHMAN
S/O. MOHAMMAD ALI
R/O. COLLEGE ROAD
NEAR APOLLO ENGLISH MEDIUM SCHOOL
NATHPARA
KHALILPUR (PART)
P.O. DHUBRI
DIST. DHUBRI
ASSAM
PIN- 783325.

3: MD. ABDIDAR HUSSAIN SIDDIQUEE
S/O. LATE ABUBAKKAR SIDDIQUE

R/O. VILL. AND P.O. HAHCHARA GAON

DIST. MORIGAON
ASSAM
PIN- 782126.

4: SRI JYOTI PRABHAT DUARAH
S/O. GOPAL CHANDRA DOWERAH

R/O. PRATISTHA ENCLAVE
FLAT NO. 7/E BLOCK A
KANDURA MIKIR PATH
LALMATI
BARSAJAI
P.O. BASISTHA
GUWAHATI

DIST. KAMRUP(M)

PIN- 781029.

5: SRI APURBA BHUYAN
S/O. LATE GUNA BHUYAN

R/O. BHIRGAON (BISWANATH CHARIALI)

PANI BHARAL CHARIALI
P.O. PANIBHARAL

DIST. BISWANATH
ASSAM
PIN- 784176.
VERSUS

THE STATE OF ASSAM AND 2 ORS
REP. BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM
FISHERY DEPT.
DISPUR
GUWAHATI- 6.

2:THE DEPARTMENTAL PROMOTION COMMITTEE

REP. BY IT'S MEMBER
SECRETARY-CUM- JOINT SECRETARY TO THE GOVT. OF ASSAM
FISHERY DEPT.
DISPUR
GUWAHATI- 6.

3:THE DIRECTOR OF FISHERIES
ASSAM
MEEN BHAWAN
BIRUBARI
GUWAHATI- 16.

Advocate for : MR. I H SAIKIA

Advocate for : SC

FISHERY appearing for THE STATE OF ASSAM AND 2 ORS

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

24.03.2026

Heard Mr. I. H. Saikia learned counsel for the petitioner, Mr. P. Sharmah, learned Standing Counsel for the Fishery Department.

2. Upon hearing the learned counsel for parties, it was necessary to examine the minutes of the meeting stated to had been held on 15.03.2024 of the DPC, by which the DPC recommended seven persons similarly situated like the petitioner for the promotion to the next higher post of District Fishery Development Officer (DFDO).

3. The said DPC was constituted to consider eligible candidates for ten available vacancies. However, seven persons were recommended, and according to the petitioner the remaining three vacant posts were not recommended by the DPC.

4. The other limb of the argument of the learned counsel for the petitioner is that the said DPC ought to have also taken into consideration of seven numbers of anticipated vacancies, which would have taken in total vacancies available to be considered for promotion by the DPC to 17 (10 clear vacancies and 7 anticipated vacancies.)

5. The learned Standing Counsel for the Fishery submits that these minutes

are not available with him today. Therefore, this Court directs the learned Standing Counsel to produce the same on **26.03.2026**.

6. Copy of this order be marked to the Office of Mr. P. Sharmah, learned Standing Counsel, Fishery Department for onward communication.

7. Accordingly list this matter on **26.03.2026**.

JUDGE

Comparing Assistant