

GAHC010139162024



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

**Case No. : WP(C)/3533/2024**

SANJIB DAS  
SON OF LATE SURJYA MOHAN DAS,  
RESIDENT OF VILLAGE- DEKASUNDAR,  
P.O. AND P.S.- JAMUGURIHAT,  
DISTRICT- SONITPUR, ASSAM,  
PIN- 784180.

VERSUS

THE STATE OF ASSAM AND 3 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM,  
EDUCATION (HIGHER) DEPARTMENT,  
DISPUR, GUWAHATI- 781006.

2:THE DIRECTOR OF HIGHER EDUCATION  
KAHILIPARA  
GUWAHATI- 781019.

3:THE GOVERNING BODY  
REPRESENTED BY THE PRESIDENT/ SECRETARY OF THE TYAGBIR HEM  
BARUAH COLLEGE

JAMUGURIHAT  
DISTRICT- SONITPUR

ASSAM  
PIN- 784189.

4:THE PRINCIPAL  
TYAGBIR HEM BARUAH COLLEGE  
JAMUGURIHAT

DISTRICT- SONITPUR  
ASSAM

PIN- 784189

**Advocate for the Petitioner** : MR SISHIR DUTTA

**Advocate for the Respondent** : SC, HIGHER EDU

**BEFORE**  
**HONOURABLE MR. JUSTICE LANUSUNGKUM JAMIR**

**ORDER**

**Date : 17.07.2024**

Heard Mr. S. Biswas, learned counsel for the petitioner.

Pursuant to an Advertisement dated 19.05.2022, issued by the Principal, T.H.B College, Karchantola, Jamugurihat, Sonitpur, the petitioner applied for the post of Library Assistant under the PWD category. After undergoing the recruitment process, the petitioner was selected. Thereafter, the petitioner also underwent the physical verification of PWD candidates. Thereafter while the petitioner was awaiting for his appointment order, the Deputy Director of Higher Secondary Education, Assam by a Communication dated 28<sup>th</sup> of May, 2024 and addressed to the Principal, T.H.B College, Sonitpur on directions stated that with regard to the approval of appointment of Library Assistant as Un-Reserved (PWD) category (Roster Point No.1), it is seen that the total number of cadre strength of Grade-III is 04. However, the respondent No.4 has advertised the post as per Roster Point No.1 on post based manner without rotation of the Roster Point as per 14 point roster system which is in violation of Rules and Procedure for this regard. Accordingly, the proposal submitted for appointment

of the petitioner for the post of Library Assistant as per Roster Point No.1 was regretted. Thereafter, the respondent No.4 issued another Advertisement on 21<sup>st</sup> of June, 2024 for the post of Assistant Professor and Library Assistant.

Being aggrieved, the petitioner is before this Court by way of the present writ petition. It is the further case of the petitioner that the written test and computer test in respect of selection of the Library Assistant pursuant to the Advertisement dated 21<sup>st</sup> of June, 2024 is being held today i.e., 17.07.2024.

Issue notice.

Mr. S. Bhuyan, learned standing counsel, Higher Education Department appears for the respondent Nos. 1 and 2.

Petitioner to take steps for service of notice on the respondent Nos. 3 and 4 by registered post, A/D within 1(one) week from today.

Extra copies of the writ petition be furnished to the learned standing counsel, Higher Education within the course of the day.

Respondents are allowed to file their affidavit.

List after 4(four) weeks.

In the interim, it is directed that the results of the written test and the computer test in respect of the Library Assistant pursuant to the Advertisement dated 21<sup>st</sup> of June, 2024 shall not be declared without the leave of this Court.

**JUDGE**

**Comparing Assistant**