

GAHC010146362024



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

Case No. : WP(C)/3752/2024

RITA DAS
WIFE OF ANANTA MALO DAS,
RESIDENT OF WARD NO. 3, PANCHUGHAT,
BALUCHAR, P.O. AND P.S.- DHUBRI,
DIST.- DHUBRI, ASSAM,
PIN- 783301.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM,
MINES AND MINERALS DEPARTMENT,
DISPUR, GUWAHATI- 06.

2:THE DIRECTOR
DIRECTORATE OF GEOLOGY AND MINING
ASSAM
KAHILIPARA
GUWAHATI-19.

3:THE STATE LEVEL RECRUITMENT COMMISSION FOR CLASS IV POSTS
REPRESENTED BY THE SECRETARY

ASSAM ADMINISTRATIVE STAFF COLLEGE

JAWAHAR NAGAR
KHANAPARA

GUWAHATI-22.

4:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
AND CHAIRMAN

STATE LEVEL RECRUITMENT COMMISSION FOR CLASS-IV POSTS

DISPUR
GUWAHATI-06.

5:THE ADDL. SECRETARY TO THE GOVT. OF ASSAM
MINES AND MINERALS DEPARTMENT
DISPUR
GUWAHATI-06

Advocate for the Petitioner : MR. A F N U MOLLAH, K ZAMAN

Advocate for the Respondent : GA, ASSAM, MR. B CHOUDHURY,SC, SLRC

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 22-01-2026

Heard Mr. F.N.U. Mollah, learned counsel for the petitioner. Also heard Mr. B. Choudhury, learned standing counsel, SLRC and Mr. J.K. Goswami, learned Addl. Sr. Govt. Advocate, Assam appearing for the other State respondents.

The petitioner in the present proceeding has raised a grievance with regard to the action on the part of the respondent authorities in not permitting her to join in service as Jugali (MTS) in pursuance to her appointment for the said post vide order dated 23-05-2023.

The petitioner in pursuance to an advertisement dated 25-03-2022, had applied for recruitment against the Gr-IV post. While submitting her application, the petitioner had applied under the Ex-Serviceman quota. The petitioner in the said selection process had secured 21 (twenty one) marks and she, accordingly, being within the cutoff marks

prescribed for the persons applying under the Ex-Serviceman quota, was issued with an order of appointment along with others on 23-05-2023. On the date of document verification, the petitioner having not furnished any document demonstrating her Ex-Serviceman status, the petitioner was not allowed to join her services.

At this stage, the petitioner had prayed before the authorities that she being a candidate belonging to the Schedule Caste community she be considered in the said recruitment against the posts reserved for the Schedule Caste community. The respondent authorities considered the case of the petitioner, however, it being found that the last female candidate appointed in the Schedule Caste category had secured 71 (seventy one) marks in the selection process, whereas the petitioner had secured only 21 marks, the petitioner was not favoured with an appointment in the matter.

The said aspect of the matter emanating from the records of the case is not disputed by the learned counsel for the petitioner. In view of the above admitted position obtaining in the matter, the petitioner being not eligible to be appointed against the Ex-Serviceman quota, action on the part of the respondent authority in not allowing the petitioner to join her service in pursuance to the order of appointment dated 23-05-2023 cannot be held to be erroneous. Further, the petitioner having not secured the cutoff marks as obtained in the selection process for being considered as a candidate against the quota reserved for Schedule Caste community, non-appointment of the petitioner as Schedule Caste candidate by the respondent authorities cannot also be held to be erroneous.

In view of the above, the present writ petition is held to be devoid of any merit and

accordingly, the same stands dismissed.

JUDGE

Comparing Assistant