

GAHC010147462024



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

**Case No. : WP(C)/3775/2024**

KANKAN NAYAK

S/O- SRI ACHINI NAYAK, R/O- VILLAGE- AMRIKHOWA, POST OFFICE-  
AMRIKHOWA, POLICE STATION- SARTHEBARI, DISTRICT- BARPETA,  
ASSAM, PIN- 781307

VERSUS

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

2:THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM  
PERSONNEL DEPARTMENT  
DISPUR  
JANATA BHAWAN  
GUWAHATI-6

3:THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM  
DEPARTMENT OF SOCIAL JUSTICE AND EMPOWERMENT  
DISPUR  
JANATA BHAWAN  
GUWAHATI-6

4:THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM  
HEALTH AND FAMILY WELFARE DEPARTMENT  
DISPUR  
JANATA BHAWAN  
GUWAHATI-6

5:THE STATE LEVEL RECRUITMENT COMMISSION FOR CLASS-IV POSTSS  
REPRESENTED BY ITS CHAIRMAN/SECRETARY  
ASSAM ADMINISTRATIVE STAFF COLLEGE

JAWAHARNAGAR  
KHANAPARA  
GUWAHATI-22

6:THE CHIEF ENGINEER  
WATER RESOURCES DEPARTMENT  
KRISHNA NAGAR  
CHANDMARI  
GUWAHATI  
ASSAM 781003

7:THE JOINT DIRECTOR OF HEALTH SERVICES  
BARPETA  
DIST.- BARPETA  
ASSAM- 781301

8:THE MEDICAL BOARD  
REPRESENTED BY THE PRINCIPAL -CUM- CHIEF SUPERINTENDANT  
GAUHATI MEDICAL COLLEGE AND HOSPITAL  
GUWAHATI-32  
ASSA

**Advocate for the Petitioner** : MR. S K ROY, S MEDHI,MRS. M M ROY

**Advocate for the Respondent** : GA, ASSAM, SC, SLRC,SC, SOCIAL JUSTICE AND  
EMPOWERMENT,SC, HEALTH AND F W,SC, WATER RESOURCE

**BEFORE**  
**HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

**ORDER**

**31.07.2024.**

Heard Shri S.K. Roy, learned counsel for the petitioner and Shri D Upamanyu, learned Standing Counsel, Health Department, Assam. Also heard Shri D Bora, learned State Counsel, Assam as well as Ms. A Lodha, learned counsel appearing on behalf of Shri RM Das, learned Standing Counsel, Social Justice and Empower and Water Resources Departments.

Shri Upamanyu, learned Standing Counsel, Health and Family Welfare Department however submits that the same issue was unsuccessfully raised by some

petitioners in a writ petition and the appeal which was preferred being WA No. 228/2024 was withdrawn on 24.07.2024, however with a liberty to file a review. Till now, such review has not been filed.

In view of the above, the consideration of this matter will not be proper at this stage unless some orders are passed in the review that may be filed in those cases.

Shri Upamanyu, the learned counsel has also informed this Court that the counsel in the other case is the same.

List this case for consideration after a month for motion on which date the learned counsel for the petitioner would apprise the outcome in the review petition.

**JUDGE**

**Comparing Assistant**