

GAHC010154262025



2026:GAU-AS:2699

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

Case No. : Review.Pet./218/2025

SUKUMAL NAMA DAS
S/O LAKHI NAMA DAS, VILL. SANTIPUR, P.O. CHAPAR, DIST. DHUBRI,
ASSAM, PIN 783301

VERSUS

THE STATE OF ASSAM AND 7 ORS
REPRESENTED BY THE COMMISSIONER AND SECY . TO THE GOVT. OF
ASSAM, ANIMAL HUSBANDRY AND VETERINARY DEPTT., DISPUR

2:THE DIRECTOR
ANIMAL HUSBANDRY AND VETERINARY DEPTT.
CENIKUTHI
GUWAHATI 3

3:THE FODDER DEVELOPMENT OFFICER
ANIMAL HUSBANDRY AND VETERINARY DEPTT.
ASSAM
GHY 03

4:THE DIST. ANIMAL HUSBANDRY AND VETERINARY OFFICER
DHUBRI
ASSAM
PIN 783301

5:DIST. A.H. AND VETY. OFFICER
A.H AND VETY DEPT.
BONGAIGAON

ASSAM.

6:THE DIRECTOR
INSTITUTE OF FARM MANAGEMENT
RANI
KAMRUP
A.H. AND VETY DEPT.
ASSAM
PIN 781101

7:THE OFFICER IN CHARGE
INTENSIVE CATTLE DEVELOPMENT PROJECT SIBSAGAR
A H. AND VETY DEPT.
DEMOW
ASSAM
PIN 785640

8:THE OFFICER IN CHARGE
INTENSIVE CATTLE DEVELOPMENT PROJECT
TEZPUR
A.H. AND VETY. DEPT.
ASSAM
PIN 78406

Advocate for the Petitioner : MR. B K DAS, MR. H GOGOI

Advocate for the Respondent : MR. J K GOSWAMI, SC, ANIMAL HUSBANDRY AND
VETERINARY DEPTT., MS. M M KOTOKY

BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO

ORDER

Date : 23-02-2026

Heard Mr. BK Das, learned counsel for the review petitioner as well as
Mr. JK Goswami, learned counsel appearing for all the respondents.

[2] By filing this review petition, the petitioner seeks revision of the order dated 11.07.2018 passed by this Court in WP(C) 3713/2018.

[3] At the outset, it may be noticed that the grievance projected by the review petitioner before the writ Court is that he has been reverted back to the original Grade-IV post after having been promoted to Grade-III post within a span of about two three months. The order of reversion has been passed on 05.01.2017 and that as a number of employees have been reverted back to their original posts, some of them have approached this Court by filing a separate writ petition, such as, WP(C) 1328/2017 amongst others. The said writ petition was disposed of, vide order dated 27.02.2018 with an observation that the State respondents cannot be faulted with for having reverted back the employees concerned, since prior approval and sanction of the State Government was not obtained before such promotion was made. It was, however, observed that if the petitioners are qualified and having the required length of service, they should be considered for promotion to the Grade-III posts along with other eligible candidates.

[4] Taking into account the above direction passed in WP(C) 1328/2017, this Court also had disposed of the writ petition, vide judgment dated 11.07.2018 as a covered case.

[5] The petitioner, however, has filed the instant review petition seeking review of the said judgment on the ground that another co-ordinate Bench of this Court in WP(C) 7838/2022, vide order dated 07.12.2022 held the order of reversal dated 05.01.2017 to be not sustainable. Such decision was arrived at again by relying upon the orders passed in other writ petitions, such as, WP(C) 774/2017, WP(C) 2879/2017 and WP(C) 2872/2017, vide order dated 03.09.2019.

[6] This Court in WP(C) 7838/2022 while disposing of the same, vide order dated 07.12.2022 held that the orders that was passed on 30.05.2019 in the 3 (three) writ petitions referred to hereinabove is a judgment in *rem* or is a judgment in *personam*. Therefore, setting aside of the order dated 05.01.2017 would be applicable to all the 53 (fifty three) persons, who were reverted back to their original posts, vide order dated 05.01.2017.

[7] The learned counsel for the review petitioner has therefore sought to impress this Court that in view of such benefit given to the other petitioners in those cases, the order passed by this Court, vide judgment dated 11.07.2018 should be reviewed.

[8] I have considered the submissions made by the learned counsel for the review petitioner.

[9] The fact remains that the judgment passed by this Court was not a judgment in the true sense of the term but an order by which reliance was placed to the order dated 27.02.2018 passed in WP(C) 1328/2017. Merely because a co-ordinate Bench of this Court in another set of writ petitions had taken a different view and had set aside the order of reversion dated 05.01.2017, the same in the considered view of this Court would not be a ground for reviewing the order sought to be reviewed.

[10] In the absence of any materials brought to the notice of the Court that the order passed in WP(C) 1328/2017 by a co-ordinate Bench of this Court on 27.02.2018 is either revisited or interfered with by a larger forum, this Court is of the considered view that review of the order dated 11.07.2018 solely on account of the order dated 07.12.2022 passed in WP(C) 7838/2022 will not be

maintainable importantly having regard to the parameters under which a review petition can be entertained.

[11] Accordingly, the review petition stands dismissed.

JUDGE

Comparing Assistant