

GAHC010164232020



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

Case No. : WP(C)/4941/2020

MAKUNDA CH KALITA
S/O LT. HARICHARAN KALITA, R/O HOUSE NO. 129, GANESH NAGAR,
BAMUNIMAIDAN, P.O. BAMUNIMAIDAN, P.S. CHANDMARI, GUWAHATI-
781021, DIST. KAMRUP ASSAM

VERSUS

THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM AND 8
ORS
HANDLOOM TEXTILES AND SERICULTURE DEPTT. DISPUR, GUWAHATI-
781006

2:THE DEPUTY SECRETARY
TO THE GOVT. OF ASSAM
HANDLOOM TEXTILES AND SERICULTURE DEPTT. DISPUR
GUWAHATI-781006

3:THE DEPUTY DIRECTOR
HANDLOOM TEXTILES AND SERICULTURE DEPTT. DISPUR
GUWAHATI-781006

4:THE CHAIRMAN
ASSAM KHADI AND VILLAGE INDUSTRIES BOARD
GUWAHATI-781003

5:THE CHIEF EXECUTIVE OFFICER
ASSAM KHADI AND VILLAGE INDUSTRIES BOARD
GUWAHATI-781003

6:EXECUTIVE OFFICER
PERSONNEL ASSAM KHADI AND VILLAGE INDUSTRIES BOARD
GUWAHATI-781003

7:HERAMBA PATOWARY
DISTRICT OFFICER
ASSAM KHADI AND VILLAGE INDUSTRIES BOARD

8:PARUL SAIKIA
DISTRICT OFFICER
ASSAM KHADI AND VILLAGE INDUSTRIES BOARD

9:DILIP SINHA
DISTRICT OFFICER
ASSAM KHADI AND VILLAGE INDUSTRIES BOAR

Advocate for the Petitioner : MR. P N GOSWAMI, A HAZARIKA

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MANOJIT BHUYAN

ORDER

25.11.2020

Heard Mr. K.P. Pathak, learned counsel for the petitioner as well as Mr. R. Dhar, learned counsel representing respondent nos.1, 2 and 3.

Petitioner is aggrieved of the promotion granted to the private respondent nos.7, 8 and 9 to the post of District Officer. Challenge is made primarily on the ground that the cadre post for promotion as District Officer is the post of Upper Division Assistant (HQ). The respondent nos.7, 8 and 9 were holding the post of Upper Division Assistant (District), which is different and distinct from Upper Division Assistant (HQ). Further, the said respondent nos.7, 8 and 9 are junior to the petitioner.

Issue Notice.

Extra copies of the writ petition be furnished to Mr. Dhar within 3 (three) days.

Petitioner to take steps for service of notice on the remaining respondents by registered

post, acknowledgment due within 3 (three) days.

Heard on the interim prayer. It is made clear that the promotion of respondent nos.7, 8 and 9 to the post of District Officer in the Khadi and Village Industries Board shall be subject to the outcome of the present writ petition.

JUDGE

Comparing Assistant