

GAHC010172742018



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

Case No. : WP(C) 5324/2018

1:NURJAMAL HUSSAIN DEWAN
S/O- AMZAD HUSSAIN DEWAN, VILLAGE- GARALA GAON, P.O. NIRALA,
DIST. BARPETA, ASSAM- 781308.

VERSUS

1:THE STATE OF ASSAM AND 2 ORS.
REP. BY ITS PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM, REVENUE
AND D.M. (LR) DEPTT., DISPUR, GUWAHATI-6.

2:THE DEPUTY COMMISSIONER
BARPETA DISTRICT
BARPETA
ASSAM- 781301.

3:THE CIRCLE OFFICER
BAGHBAR REVENUE CIRCLE
BARPETA
ASSAM- 781308

Advocate for the Petitioner : MR. MD S HOQUE

Advocate for the Respondent : GA, ASSAM

BEFORE
HON'BLE MR. JUSTICE S.SERTO

08.08.2018

Heard Md S. Hoque, learned counsel appearing for the petitioner.

The case of the petitioner in brief is that following the Advertisement dated 08.11.2016 issued by the Additional Deputy Commissioner, Barpeta he applied for the post of Gaonburha against the Charge No. 7 under Mouza-Mandia, Baghbar Revenue Circle in Barpeta District, for which he was eligible in all respects. However, the respondents issued another Advertisement dated 12.06.2018 for the same post, but changing the eligibility criteria in respect of the minimum prescribed age from 21-35. According to the learned counsel this new Advertisement has deprived the petitioner of his eligibility for the post in respect of the minimum prescribed age. Therefore the 2nd Advertisement dated 12.06.2018 issued by the Deputy Commissioner, Barpeta is illegal and deserves to be quashed and set aside.

Issue notice to the respondents returnable within 2 (two) weeks.

As Mr. Handique, learned counsel accepts notice on behalf of the respondent No. 1 and Mr. S.S. Roy, learned counsel accepts notice on behalf of the respondent Nos. 2 and 3. As such, there is no need for sending any formal notice to the said respondents. However, learned counsel for the petitioner shall hand over copies of the petition to the learned counsel for the said respondents during the course of the day

List this matter on 29.08.2018. On that day, the learned counsel appearing for

the petitioner shall obtain instruction and place it before the court as to why the 2nd Advertisement was issued for the same post and why the eligibility criteria in respect of the minimum age has been changed.

The interim prayer shall be considered on that day.

JUDGE

Comparing Assistant