

GAHC010192382021



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

Case No. : WP(C)/6698/2021

JAJNA RAM DEKA @ JAGYA RAM DEKA
S/O- LATE GIRI DHAR DEKA, R/O VILLAGE -KHUDRADIMU, PO-
KHUDRADIMU, PS- RANGIA, DIST-KAMRUP(R), ASSAM

VERSUS

THE STATE OF ASSAM AND 6 ORS
REP. BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM, DISPUR, GHY-6

2:STATE OF ASSAM
REP. BY THE COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM
REVENUE DEPARTMENT
ASSAM
DISPUR
GHY-6

3:THE DEPUTY COMMISSIONER
KAMRUP
METRO
GUWAHATI

4:THE DIRECTOR
LAND RECORDS AND SURVEYS ETC.
ASSAM
RUPNAGAR
GUWAHATI.

5:THE COMM. AND SECY. TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
ASSAM
DISPUR
GHY-6

6:THE COMM. AND SECY. TO THE GOVT. OF ASSAM
DEPARTMENT OF PENSION AND PUBLIC GRIEVANCES
DISPUR
GHY-6

7:THE ACCOUNTANT GENERAL
MAIDAMGAON
BELTOLA
GUWAHATI
ASSA

Advocate for the Petitioner : MR S P DAS, MR A ALAM,MR P KATAKI

Advocate for the Respondent : GA, ASSAM, SC, FINANCE DEPTT.,SC, AG,SC, REVENUE

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

09.06.2025

Heard Mr. S P Das, learned counsel for the petitioner. Also heard Mr. R Boro, learned counsel appears on behalf of Mr. C Boruah, learned Standing Counsel, Accountant General and Mr. R Dhar, learned Addl. Sr. Government Advocate.

Mr. R Dhar, learned Addl. Sr. Government Advocate will apprise the Court in respect of the promotion given to the petitioner to the post of Additional Supervisory Kanungoo which was stated to have been created for re-settlement purposes. This averment is found in Paragraph-7 in the affidavit filed by the respondent No. 3.

From the communication dated 20.04.2018 issued by the Office of the Accountant General to the Pension Officer of the Deputy Commissioner, Kamrup, Amingaon, it was clarified that anomalies was noticed in respect

of the service of the writ petitioner. As per the papers, he was promoted to the post of Additional Supervisory Kanungoo which post was not found in the ROP or in the Service Rules and the salary paid to the petitioner was equivalent to that of Supervisory Kanungoo and subsequently an appointment was found to have been made to the petitioner as a Lot Mondal and no clarifications are found in the service record as to whether it was a fresh appointment or a reversion from the post of Additional Supervisory Kanungoo. This position is also not clarified in the affidavit filed by the respondent No. 3.

Under such circumstances, this Court permits the learned Addl. Sr. Government Advocate to complete his instructions in this regard and apprise the Court by the next date fixed.

List on 21.07.2025.

JUDGE

Comparing Assistant