

GAHC010198232025



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

Case No. : WP(C)/5150/2025

ABUL HOSSAN MOHAMMED SAYED
VILL- DIGHALTARI, P.O- DIGHALTARI, DIST- DHUBRI, ASSAM, PIN-783335.

VERSUS

THE STATE OF ASSAM AND 9 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY, TO THE
GOVERNMENT OF ASSAM, ENVIRONMENT AND FOREST DEPARTMENT,
DISPUR, GUWAHATI - 781006, ASSAM.

2:THE MEMBER SECRETARY CUM DIVISIONAL FOREST OFFICER
KAMRUP EAST DIVISION
BASISTHA
GUWAHATI
ASSAM.

3:THE ASSAM PUBLIC SERVICE COMMISSION
REPRESENTED BY ITS CHAIRMAN
JAWAHARNAGAR
KHANAPARA
GUWAHATI
ASSAM -781022.

4:THE DEPUTY SECRETARY
ASSAM PUBLIC SERVICE COMMISSION
JAWAHARNAGAR
KHANAPARA
GUWAHATI
ASSAM -781022.

5:THE CONTROLLER OF EXAMINATIONS
ASSAM PUBLIC SERVICE COMMISSION

JAWAHARNAGAR
KHANAPARA
GUWAHATI
ASSAM -781022.

6:PARAG JYOTI SARMA
THROUGH THE CHIEF CONSERVATOR OF FOREST
SOUTHERN ASSAM CIRCLE
SILCHAR
PIN- 788001.

7:SARJAHAN AHMED
THROUGH THE DIRECTOR
ASSAM FOREST SCHOOL
JALUKBARI
PIN- 781013
ASSAM

8:MISS SURUSHREE PATOWARY
THROUGH THE DIVISIONAL FOREST OFFICER
NALBARI SF DIVISION
NALBARI
PIN- 781334
ASSAM.

9:NAYANJYOTI SARMAH
THROUGH THE OFFICE OF THE SILVICULTURIST BASISTHA
GUWAHATI
PIN-781029
ASSAM.

10:JYOTIPRASANTA SARMA
THROUGH THE DIVISIONAL FOREST OFFICER
CACHAR DIVISION
SILCHAR
PIN - 788001
ASSAM

Advocate for the Petitioner : MR K K MAHANTA (Sr. Advocate), MR S GAUTAM,MR. K M MAHANTA

Advocate for the Respondent : SC, FOREST, SC, APSC

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

05.09.2025

Heard Mr. K.M. Mahanta, learned counsel for the petitioner; Mr. R.R. Gogoi, learned Standing Counsel, Environment & Forest Department for the respondent nos. 1 & 2; and Mr. T.J. Mahanta, learned Senior Counsel assisted by Ms. P. Sarma, learned counsel for the respondent nos. 3, 4 & 5.

The petitioner who is a Chemical Engineer by qualification, responded to an Advertisement dated 27.12.2021 inviting applications for filling up fifty nos. of posts of Forest Ranger in the Assam Forest Service. Out of fifty vacancies, five were earmarked for EWS. The petitioner has stated that he obtained requisite cut-off marks in the written examination and also qualified in the walking test and medical examination held thereafter. Finally, the petitioner was called to appear in interview where he duly appeared.

The petitioner's contention is that his name did not figure in the final list of selected candidates, published on 23.02.2024. In order to obtain the marks he and other candidates selected in the EWS category, the petitioner made an application under the RTI Act and came to learn that the total mark secured by him was 419.75. He has further learnt that the cut-off marks for selection for EWS category was 397.00. Contending that he has been arbitrarily denied from being selected and appointed as Forest Ranger, the instant writ petition is preferred seeking relief.

Both Mr. Gogoi and Mr. Mahanta raising a point of maintainability, have submitted that the final results were declared on 23.02.2024 and the petitioner has approached the Court with much delay. Mr. Mahanta has further submitted that the documents submitted in support of his claim as regards belonging to EWS category is a questionable one.

The matter would require consideration.

Issue notice, returnable on 22.10.2025.

As Mr. Gogoi, learned Standing Counsel, Environment & Forest Department has appeared and accepted notices on behalf of the respondent nos. 1 & 2; and Ms. Sarma, learned counsel has appeared and accepted notices on behalf of the respondent nos. 3, 4 & 5; issuance of formal notice to the said respondents is dispensed with. The learned counsel

for the petitioner shall furnish requisite extra copies of the writ petition along with the annexures to the learned counsel for the said respondents within 2 [two] working days from today.

The petitioner shall take steps for service of notice upon the respondent nos. 6 to 10 by registered post with A/D within 2 [two] working days from today.

The learned counsel for the petitioner has also made submissions pressing for an interim order to the effect that the respondent no. 1 shall not, in the meantime, confirm the appointments of the respondent nos. 6 to 10 without leave of the Court. He has submitted that the respondent nos. 6 to 10 are presently undergoing training in order to be inducted in the Assam Forest Service.

The results of the recruitment process was declared and notified on 23.02.2024 and thereafter, by Notification dated 12.03.2024, the candidates selected for the post of Forest Ranger were appointed and posted in their place of posting. In such view of the matter, the prayer for interim relief, as pressed for by the learned counsel for the petitioner, is declined.

List the case on 22.10.2025.

JUDGE

Comparing Assistant