

GAHC010220462023



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

Case No. : WP(C)/5809/2023

SANDIPON GHOSH AND 16 ORS
SON OF SHRI SUNIL GHOSH,
P.S. TO THE HONOURABLE JUDGE, GAUHATI HIGH COURT, GUWAHATI,
RESIDENT OF FLAT NO. 302, GUWAHATI HIGH COURT P.S.- COMPLEX,
MALIBAGAN, KHARGULI ROAD,
UZAN BAZAR, GUWAHATI- 781004,
KAMRUP(M), ASSAM.

2: BENOY CHAKRABORTY
SON OF LATE BIJAN CHAKRABORTY
P.S. TO HONOURABLE JUDGE
GAUHATI HIGH COURT
GUWAHATI
RESIDENT OF LAKHI NIWAS
HOUSE NO. 66
AEI KRISHNA NAGAR
MILANPUR LINK ROAD
CHANDMARI
P.O.- SILPUKHURI
P.S.- CHANDMARI
GUWAHATI- 781003
KAMRUP(M).

3: RAJIB KR. ROY
SON OF LATE SUNIL KR. ROY
P.S. TO HONOURABLE JUDGE
GAUHATI HIGH COURT
GUWAHATI
RESIDENT OF FLAT NO. 401
GAUHATI HIGH COURT PRIVATE SECRETARY COMPLEX
MALIBAGAN
KHARGULI ROAD
GUWAHATI- 781004
KAMRUP(M)

ASSAM.

4: DOROTHY TABASSUM GAYOTRI
DAUGHTER OF SHRI CHRISTOPHER FAROOQUE GAUTAM
P.S. TO HONOURABLE JUDGE
GAUHATI HIGH COURT
GUWAHATI
RESIDENT OF FLAT NO. 104
GAUHATI HIGH COURT PRIVATE SECRETARY COMPLEX
MALIBAGAN
KHARGULI ROAD
UZAN BAZAR
GUWAHATI- 781004
KAMRUP(M)
ASSAM.

5: NIVEDITA SINHA
DAUGHTER OF SRI NORJIT RAJKUMAR
P.S. TO HONOURABLE JUDGE
GAUHATI HIGH COURT
GUWAHATI
RESIDENT OF FLAT NO. 101
GAUHATI HIGH COURT PRIVATE SECRETARY COMPLEX
MALIBAGAN
KHARGULI ROAD
UZAN BAZAR
GUWAHATI- 781004
KAMRUP(M)
ASSAM.

6: MILAN KR. KALITA
SON OF LATE KANAK CH. KALITA
P.S. TO HONOURABLE JUDGE
GAUHATI HIGH COURT
GUWAHATI
RESIDENT OF HOUSE NO. 33
BALIBATT
RUKMINI NAGAR
GUWAHATI- 781006
KAMRUP(M)
ASSAM.

7: APARNA DEY
DAUGHTER OF ASHUTOSH DEY
P.S. TO HONOURABLE JUDGE
GAUHATI HIGH COURT
GUWAHATI
RESIDENT OF PRATIMA NIWAS

3RD FLOOR
A3
RAM KRISHNA MISSION ROAD
UDAYPUR
BYE LANE NO. 1
BIRUBARI
GUWAHATI- 781016
ASSAM.

8: KISHOR KRISHNA KALITA
SON OF SHRI DEBENDRA KALITA
P.S. TO HONOURABLE JUDGE
GAUHATI HIGH COURT
GUWAHATI
RESIDENT OF FLAT NO. 404
GAUHATI HIGH COURT PRIVATE SECRETARY COMPLEX
MALIBAGAN
KHARGULI ROAD
UZAN BAZAR
GUWAHATI- 781004
KAMRUP(M)
ASSAM.

9: RAKHI PAUL
DAUGHTER OF SHRI TARA PADA PAUL
P.S. TO HONOURABLE JUDGE
GAUHATI HIGH COURT
GUWAHATI
RESIDENT OF HOUSE NO. 58
HILLSIDE COLONY
MALIGAON GATE NO. 1
GUWAHATI-781012
KAMRUP(M)
ASSAM.

10: SUMITA DAS
WIFE OF SHRI BIPLAB CHAKRABORTY
P.S. TO HONOURABLE JUDGE
GAUHATI HIGH COURT
GUWAHATI
RESIDENT OF LAKHI NIWAS
HOUSE NO. 66
AEI KRISHNA NAGAR
MILANPUR LINK ROAD
CHANDMARI
P.O.- SILPUKHURI
P.S.- CHANDMARI
GUWAHATI- 781003

KAMRUP(M).

11: AMITA SHARMA
WIFE OF SHIROM SHARMA
P.S. TO HONOURABLE JUDGE
GAUHATI HIGH COURT
GUWAHATI
RESIDENT OF HOUSE NO. 5
BISHNU RABHA PATH
FATASHIL AMBARI
GUWAHATI
KAMRUP(M)
ASSAM.

12: RUPAM BASUMATARY
SON OF SHRI SIBA RAM BASUMATARY
P.S. TO HONOURABLE JUDGE
GAUHATI HIGH COURT
GUWAHATI
RESIDENT OF FLAT NO. 303
GAUHATI HIGH COURT PRIVATE SECRETARY COMPLEX
MALIBAGAN
KHARGULI ROAD
UZAN BAZAR
GUWAHATI- 781004
KAMRUP(M)
ASSAM.

13: PALLABI DAS
DAUGHTER OF SHRI DILIP DAS
P.S. TO HONOURABLE JUDGE
GAUHATI HIGH COURT
GUWAHATI
RESIDENT OF HOUSE NO. 113
MANIRAM DEWAN ROAD
SILPUKHURI
GUWAHATI- 781003
KAMRUP(M)
ASSAM.

14: POONAM RAJBONGSHI
DAUGHTER OF LATE TANKESWAR
P.S. TO HONOURABLE JUDGE
GAUHATI HIGH COURT
GUWAHATI
RESIDENT OF FLAT NO. 103
GAUHATI HIGH COURT PRIVATE SECRETARY COMPLEX
MALIBAGAN

KHARGULI ROAD
GUWAHATI- 781004
KAMRUP(M)
ASSAM.

15: BONAJOIT DEY
SON OF SHRI JAYANTA DEY
P.S. TO HONOURABLE JUDGE
GAUHATI HIGH COURT
GUWAHATI
RESIDENT OF SHANTIPUR
DAS LANE
GUWAHATI- 781009
KAMRUP(M)
ASSAM.

16: SHIBU SAHA
SON OF SUBAL KUMAR SAHA
P.S. TO HONOURABLE JUDGE
GAUHATI HIGH COURT
GUWAHATI
RESIDENT OF FLAT NO. 402
GAUHATI HIGH COURT PRIVATE SECRETARY COMPLEX
MALIBAGAN
KHARGULI ROAD
UZAN BAZAR
GUWAHATI- 781004
KAMRUP(M)
ASSAM.

17: CHAMPAK RAJBONGSHI
SON OF DHIREN RAJBONGSHI
P.S. TO HONOURABLE JUDGE
GAUHATI HIGH COURT
GUWAHATI
RESIDENT OF HOUSE NO. 20
SHANKAR NAGAR
LALMATI
P.O. AND P.S.- BASISTHA
GUWAHATI- 781029
DISTRICT-KAMRUP(M)
ASSAM

VERSUS

THE GAUHATI HIGH COURT
REPRESENTED BY THE REGISTRAR GENERAL,
GAUHATI HIGH COURT, GUWAHATI- 781001.

Advocate for the Petitioner : MR D K DAS

Advocate for the Respondent : SC, GHC

**BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

Date : 04.10.2023

Heard Mr. D.K. Das, learned counsel for the petitioners; and Mr. H.K. Das, learned Standing Counsel, Gauhati High Court [GHC].

2. The petitioners are presently serving as Private Secretaries in the cadre of Private Secretary/Stenographer Grade-I [Special Class] belonging to Class II[B] of the Gauhati High Court Services [Appointment, Conditions of Service and Conduct] Rules, 1967. The post is a Gazetted Post and is a feeder post for promotion to the next higher cadre of Assistant Registrar which is in Class II[A], Gazetted in the same service. The primary cause of grievance of the petitioners is that the post of Assistant Registrar in Class II[A] is filled up from the cadre of Class II[B] Gazetted which has a cadre strength of 44, at present, and from the cadre of Class II[C], Gazetted which has a cadre strength of 27, at present. The petitioners have projected that while effecting promotion, the respondent authorities have been following a ratio of 4:1, meaning thereby, against 4 [four] promotion from the cadre of Class II[C] against only 1 [one] promotion from cadre of Class II[B]. Challenging the said ratio i.e. 4:1 followed under the Rules and terming the same as irrational and discriminatory, the petitioners have preferred the instant writ petition.

3. Mr. Das, learned Standing Counsel, GHC has submitted that the representation submitted by the petitioners is under active consideration as on date.

4. Issue notice, returnable in 4 [four] weeks.

5. As Mr. Das has appeared and accepted notice for the sole respondent, no formal notice

need to be issued in respect of the said respondent. The learned counsel for the petitioner shall serve an extra copy of the writ petition along with annexures, to Mr. Das within 3 [three] working days.

6. It is observed that pendency of the writ petition shall not be a bar for the respondent authorities to consider the representation, stated to have been filed by the petitioners.

7. List the case after 4 [four] weeks.

JUDGE

Comparing Assistant