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

Case No. : WP(C)/2869/2024

KAUSHIK DAS

S/O- JOY KRISHNA DAS, ADDRESS- H/NO. 128, NEAR PATHO PLUS CLINIC,
A.T.ROAD, MALIGAON CHARIALI, GUWAHATI- 781011

VERSUS

THE STATE OF ASSAM AND 12 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, PERSONNEL (A), DISPUR, GUWAHATI-6,
DISTRICT- KAMRUP (M), ASSAM

2:THE SECRETARY
GOVERNMENT OF ASSAM
PERSONNEL (A)
DISPUR
GUWAHATI-6
DISTRICT- KAMRUP (M)
ASSAM

3:STATE LEVEL RECRUITMENT COMMISSION FOR CLASS-III POSTS
ASSAM ADMINISTRATIVE STAFF COLLEGE
REPRESENTED BY ITS CHAIRMAN
JAWAHARNAGAR
KHANAPARA
GUWAHATI-22
DISTRICT- KAMRUP (M)
ASSAM

4:THE SECRETARY
STATE LEVEL RECRUITMENT COMMISSION FOR CLASS-III POSTS
ASSAM ADMINISTRATIVE STAFF COLLEGE
JAWAHARNAGAR

KHANAPARA
GUWAHATI-22
DISTRICT- KAMRUP (M)
ASSAM

5:THE SECRETARY
MEDICAL EDUCATION AND RESEARCH DEPARTMENT
GOVT. OF ASSAM
DISPUR
GUWAHATI- 781006
ASSAM

6:THE PRINCIPAL-CUM-CHIEF SUPERINTENDENT
GAUHATI MEDICAL COLLEGE AND HOSPITAL
BHANGAGARH
GUWAHATI-32

7:THE PRINCIPAL SECRETARY
SOCIAL JUSTICE AND EMPOWERMENT DEPARTMENT
GOVT. OF ASSAM
BLOCK-D
1ST FLOOR
DISPUR
JANATA BHAWAN
GUWAHATI- 781006

8:THE JOINT SECRETARY
SOCIAL JUSTICE AND EMPOWERMENT DEPARTMENT
GOVT. OF ASSAM
BLOCK-D
1ST FLOOR
DISPUR
JANATA BHAWAN
GUWAHATI- 781006

9:THE COMMISSIONER
FOR PERSONS WITH DISABILITIES
ADDRESS- LATAKATA BASISTHA
GUWAHATI- 781029
KAMRUP (M)
ASSAM

10:THE REGISTRAR
COOPERATIVE SOCIETIES
ASSAM
KHANAPARA
GUWAHATI- 781022
KAMRUP (M)

ASSAM

11:THE JOINT SECRETARY
COOPERATION DEPARTMENT
DISPUR
GUWAHATI- 781006
KAMRUP (M)
ASSAM

12:THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM
HEALTH AND FAMILY WELFARE DEPARTMENT
GUWAHATI- 781006
KAMRUP (M)
ASSAM

13:THE MEDICAL BOARD
REPRESENTED BY THE PRINCIPAL-CUM-CHIEF SUPERINTENDENT
GAUHATI MEDICAL COLLEGE AND HOSPITAL
BHANGAGARH
GUWAHATI-32

14:THE PRINCIPAL SECRETARY
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT

GUWAHATI-781006
KAMRUP(M) ASSAM

15:THE COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
GUWAHATI-781006
KAMRUP (M)
ASSA

Advocate for the Petitioner : MR. FIRUZ KHAN, P. NATH,MS D BARUAH,DR AZIZ KHAN,MR U CHAUDHURY,MR. ABHIJIT MENA,RHITUSHREE TALUKDAR

Advocate for the Respondent : GA, ASSAM, SC, HEALTH,MS. M D BORA (SC, CO-OPERATIVE SOCIETIES),MR. C SARMA (SC, SOCIAL JUSTICE AND EMPOWERMENT),MR. D UPAMANYA (SC, HEALTH DEPT.),MR B CHOUDHURY,MS. M BHATTACHARYYA,

Linked Case : WP(C)/2321/2024

KAUSHIK DAS

S/O- JOY KRISHNA DAS
R/O- H/NO. 128
NEAR PATHO PLUS CLINIC
A.T. ROAD
MALIGAON CHARIALI
GHY-781011.

VERSUS

THE STATE OF ASSAM AND 11 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
PERSONNEL (A)
DISPUR
GHY-6
DIST. KAMRUP(M)
ASSAM

2:THE SECRETARY

GOVERNMENT OF ASSAM
PERSONNEL (A) DEPARTMENT
DISPUR
GHY-6
DIST. KAMRUP(M)
ASSAM

3:STATE LEVEL RECRUITMENT COMMISSION FOR CLASS-III POSTS
ASSAM ADMINISTRATIVE STAFF COLLEGE
REP. BY ITS CHAIRMAN
JAWAHARNAGAR
KHANAPARA
GHY-22
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ASSAM

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ASSAM ADMINISTRATIVE STAFF COLLEGE
JAWAHARNAGAR
KHANAPARA
GUWAHATI-22
DIST. KAMRUP(M)
ASSAM

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MEDICAL EDUCATION AND RESEARCH DEPARTMENT
GOVT. OF ASSAM
DISPUR
GHY-781006
ASSAM

6:THE PRINCIPAL-CUM-CHIEF
SUPERINTENDENT
GAUHATI MEDICAL COLLEGE AND HOSPITAL
BHANGAGARH
GHY-32.

7:THE PRINCIPAL SECRETARY
SOCIAL JUSTICE AND EMPOWERMENT DEPARTMENT
GOVT. OF ASSAM
BLOCK-D
1ST FLOOR
DISPUR
JANATA BHAWAN
GHY-781006.

8:THE JOINT SECRETARY
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GOVT. OF ASSAM
BLOCK-D
1ST FLOOR
DISPUR
JANATA BHAWAN
GHY-781006.

9:THE COMMISSIONER
FOR PERSONS AND DISABILITIES
R/O- LATAKATA
BASISTHA
GHY-781029
KAMRUP(M)
ASSAM

10:THE REGISTRAR
COOPERATIVE SOCIETIES
ASSAM
KHANAPARA
GHY-781022
KAMRUP(M)
ASSAM

11:THE JOINT SECRETARY

COOPERATION DEPARTMENT
DISPUR
GHY-781006
KAMRUP(M)
ASSAM

12:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
GUWAHATI-781006
KAMRUP(M)
ASSAM

Advocate for : MR. FIRUZ KHAN
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 11 ORS

Linked Case : I.A.(Civil)/3307/2024

KAUSHIK DAS
S/O- JOY KRISHNA DAS
ADDRESS- H/NO. 128
NEAR PATHO PLUS CLINIC
A.T.ROAD
MALIGAON CHARIALI
GUWAHATI- 781011

VERSUS

THE STATE OF ASSAM AND 12 ORS
- REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
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3:STATE LEVEL RECRUITMENT COMMISSION FOR CLASS-III POSTS

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REPRESENTED BY ITS CHAIRMAN
JAWAHARNAGAR
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4:THE SECRETARY STATE LEVEL RECRUITMENT COMMISSION FOR
CLASS-III POSTS
ASSAM ADMINISTRATIVE STAFF
COLLEGE
JAWAHARNAGAR
KHANAPARA
GUWAHATI-22
DISTRICT- KAMRUP (M)
ASSAM

5:THE SECRETARY MEDICAL EDUCATION AND RESEARCH DEPARTMENT
GOVT. OF ASSAM

DISPUR
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6:THE PRINCIPAL-CUM-CHIEF SUPERINTENDENT
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HEALTH AND FAMILY WELFARE DEPARTMENT
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13:) THE MEDICAL BOARD REPRESENTED BY THE PRINCIPAL-CUM-CHIEF
SUPERINTENDENT
GAUHATI MEDICAL COLLEGE AND HOSPITAL
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14:) THE PRINCIPAL SECRETARY
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GUWAHATI-781006
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15:THE COMMISSIONER
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GUWAHATI-781006
KAMRUP (M)
ASSAM

Advocate for : MR. FIRUZ KHAN
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 12 ORS

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

12.11.2025

Heard Mr. F Khan, learned counsel for the petitioner. Also heard Mr. D Upamanyu, learned Standing Counsel, Health Department; Ms. M.D Borah, learned Standing Counsel, Co-operation Department and Mr. B Choudhury, learned counsel for the respondents No. 3 & 4/SLRC; Mr. R.M. Das, learned Standing Counsel, Social Justice; Empowerment Department and Mr. C.K.S Baruah, learned Jr. Government Advocate for the respondents No. 1 & 2.

The petitioner is aggrieved that although he holds an identity card issued by the competent authority in the State of Assam showing the petitioner to be a person with benchmark of "hearing disability" of 86%. There are contradictory medical reports by the Health Department showing that the petitioner's disability is about 23% which is below the benchmark disability of 40%.

Mr. Upamanyu, learned Standing Counsel Health submits that he would like to get these clarifications and submits that the matters be listed on 14.11.2025.

On his prayer made, list these matters again on 14.11.2025.

JUDGE

Comparing Assistant