

GAHC010051362025



undefined

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

Case No. : I.A.(Civil)/743/2025

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 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-6
KAMRUP(M)
ASSAM

15:THE COMMISSIONER

PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
GUWAHATI-6
KAMRUP(M)
ASSA

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

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

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

VERSUS

THE STATE OF ASAM AND ORS
REP BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
PERSONNEL A DISPUR GUWAHATI DIST 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
GAUHAITI MEDICAL COLLEGE AND HOSPITAL
BHANGAGARH
GUWAHATI-32

14:THE PRINCIPAL SECRETARY

PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
GUWAHATI-6
KAMRUP(M)
ASSAM

15:THE COMMISSIONER

PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
GUWAHATI-6
KAMRUP(M)
ASSAM

Advocate for : MR FIRUZ KHAN
Advocate for : SR. GA
ASSAM appearing for THE STATE OF ASSAM AND 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
GOVERNMENT OF ASSAM
PERSONNEL (A)
DISPUR

GUWAHATI-6
DISTRICT- KAMRUP (M)
ASSAM

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

Linked Case : 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

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

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
DIST. KAMRUP(M)
ASSAM

4:THE SECRETARY

STATE LEVEL RECRUITMENT COMMISSION FOR CLASS-III POSTS
ASSAM ADMINISTRATIVE STAFF COLLEGE
JAWAHARNAGAR
KHANAPARA
GUWAHATI-22
DIST. KAMRUP(M)
ASSAM

5:THE SECRETARY

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
SOCIAL JUSTICE AND EMPOWERMENT DEPARTMENT
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

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 19.03.2025

Heard Mr. F. Khan, learned counsel for the applicant.

Mr. C.K.S. Baruah, learned Govt. Advocate, Assam; Ms. M.D. Borah, learned standing counsel for the Cooperation Department; Ms. D. Jain, learned standing counsel for the Social Justice Department; and Mr. D. Upamanyu, learned standing counsel for the Health Department are present.

By filing this interlocutory application, the applicant is seeking impleadment of 2 (two) officials as respondent nos.14 and 15 in the connected writ petition. However, those 2 (two) authorities have already been shown as opposite party nos.14 and 15 in the present interlocutory application even before the prayer for impleadment has been allowed by the Court.

Since the present case management system in the High Court is mounted on the Central CIS System wherein, electronic database is being maintained in a central server, it has become necessary for this Court to ascertain as to whether, the opposite party nos.14 and 15 ought to have been impleaded only as opposite party nos.1 and 2 in the interlocutory application and only after the Court allows the prayer for impleadment, can they be impleaded as respondent nos.14 and 15 or whether, these 2 (two) opposite parties can be directly shown as opposite party nos.14 and 15 regardless of whether the impleadment prayer is allowed or rejected by the Court.

In order to have clarity in the matter and to avoid further complications in the matter insofar as the CIS System is concerned, this Court is of the view that a report from the Registry ought to be called for throwing light on the issue.

As such, the Registrar (Judicial) to examine the matter and submit a report.

Let this writ petition be listed again in the 1st week of April, 2025 as a fixed item.

JUDGE

Comparing Assistant