

GAHC010222922024



2026:GAU-AS:3885-DB

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

Case No. : WA/61/2026

JAKIR HOSSAIN AND 4 ORS
S/O SAMSUL HOQUE, VILL.- KISMATHASDAHA PART-III, P.O.-
KISMATHASDAHA, P.S. AND DIST- DHUBRI, ASSAM, PIN-783334

2: BALBAHADUR THAPA
R/O DHUBRI WARD NO. 10
P.O. AND DIST. DHUBRI
ASSAM. PIN-783301

3: PARTHADEEP CHOUDHURY
S/O LATE NIKHIL NARAYAN CHOUDHURY
R/O BIDYAPARA
P.O. BIDYAPARA
DIST. DHUBRI
ASSAM. PIN-783324

4: MOHBUB ALOM
S/O EKRAMUL HOQUE
VILL. MADHUSOULMARI PART-II
P.O. MADHUSOULMARI
P.S. GAURIPUR
DIST. DHUBRI
ASSAM
PIN-783331

5: ANIRBAN KARMAKAR
R/O GAURIPUR WARD NO.1 (MISTRIPARA)
P.O. AND P.S. GAURIPUR
DIST. DHUBRI
ASSAM
PIN-78333

VERSUS

THE STATE OF ASSAM AND 69 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, DEPARTMENT
OF POWER (ELECTRICITY), DISPUR, GUWAHATI-6

2:THE ASSAM STATE ELECTRICITY BOARD
REPRESENTED BY ITS CHAIRMAN
BIJULEE BHAWAN
PALTANBAZAR
GUWAHATI-01
ASSAM

3:THE CHIEF GENERAL MANAGER (HR)
ASSAM POWER DISTRIBUTION CO. LTD.
BIJULEE BHAWAN
PALTANBAZAR
GUWAHATI-1
DIST- KAMRUP (M)
ASSAM

4:THE GENERAL MANAGER
GUWAHATI ZONE
APDCL(LAZ)
SIXMILE
GUWAHATI-22
DIST- KAMRUP (M)
ASSAM

5:THE DEPUTY GENERAL MANAGER
KOKRAJHAR ELECTRICAL CIRCLE
APDCL
KOKRAJHAR
P.O.
P.S. AND DIST- KOKRAJHAR
ASSAM
PIN-783370

6:THE DEPUTY GENERAL MANAGER
BONGAIGAON ELECTRICAL CIRCLE
APDCL
BONGAIGAON
P.O.- BONGAIGAON
DIST- BONGAIGAON
ASSAM
PIN-783380

7:THE DIRECTOR
TRAINING

ASSAM POWER DISTRIBUTION CO. LTD.
NARENGI
GUWAHATI-781026
DIST- KAMRUP (M)
ASSAM

8:MRINAL CHANDRA ROY
S/O ROMESH CH. ROY
VILL. DEBOTTAR HASDAHA PT-I

P.O. DEBOTTAR HASDAHA

P.S.GOLOKGANJ

DIST. DHUBRI
ASSAM
PIN-783334.

9:TUKAN CH. SHIL @ TUKAN KR. SHILL
S/O LT. SHAMPADA SHILL @ SHYAMAPADA SHILL
VILL AND P.O.- TULSIBIL
DIST- KOKRJAHAH
BTAD
ASSAM
PIN-783370

10:MAHESH CH. ROY
S/O KANAK CHANDRA ROY
VILL- MAYANAGURI
P.O.- FAKIRAGRAM
DIST- KOKRAJAHR
BTAD
ASSAM
PIN-783345

11:SARAT CH. ROY
S/O SRI SASHIMOHAN ROY
VILL. KEDAR PART-III
P.O. DIMAKURI

DIST. DHUBRI
ASSAM
PIN-783334.

12:SANJIT DEBNATH
S/O NARESWAR DEBNATH
VILL AND P.O. KHALILPUR

DIST. DHUBRI
ASSAM
PIN-783324.

13:HOREN CH. NATH @ HORENDRA CH. NATH
S/O LATE BHUBAN CH. NATH
VILL NOONMATI

P.O. HATIPUTA
P.S.CHAPOR

DIST. DHUBRI
ASSAM
PIN-783348.

14:BIPIN ROY
S/O LATE KAMALA KANTA ROY
VILL. DEOBHANGI
P.O. RUPSHI

DIST. DHUBRI
ASSAM
PIN-783331

15:PABITRA KR. ROY
S/O BAISHAK CH. ROY

VILL AND P.O. DEBOTTAR HASDAHA
P.S.GOLOKGANJ

DIST. DHUBRI
ASSAM
PIN-783334

16:LAKHI KANTA ROY
S/O BEPARI ROY
VILL. GAIKHOWA GANGADHAR(GANDHIGRAM PART-II)
P.O. AND P.S. GOLOKGANJ
DIST. DHUBRI
ASSAM
PIN- 783334

17:DHIREN ROY
S/O LATE SASHI MOHAN ROYVILL. KISMIT HASDAHA PART-II
P.O. KISMAT HASDAHA
DIST. DHUBRI
ASSAM

PIN-783334

18:DIPJYOTI NATH
S/O DIGAMBAR NATH
VILL. NATHPARA
P.O.BO HOLPUR

P.S. CHAPAR

DIST.DHUBRI
ASSAM
PIN-783371

19:BISNU CH. NATH
S/O ROBINDRA CH. NATH

VILL. BIDYAPARA PART-II

P.O. BIDYAPARA

DIST. DHUBRI
ASSAM
PIN-783334

20:JAYANTA NATH
S/O SONATON NATH
VILL AND P.O. BO HOLPUR
P.S. CHAPOR

DIST. DHUBRI
ASSAM
PIN- 783371

21:BHUPENDRA NATH ROY
S/O KHUDIRAM ROY
VILL- MADHUSOULMARI PART-I
P.O.- KHUDIMARI
DIST- DHUBRI
ASSAM
PIN-783331

22:RAJU ROY
S/O SUKARU ROY

VILL DARCHOWKA

P.O. SHILAIRPAR
P.S.GAURIPUR

DIST. DHUBRI
ASSAM
PIN- 783331

23:NANDA KANTA DEBNATH
S/O SRI NRIPEN DEBNATH
VILL AND P.S.- SALAKATI
DIST- KOKRAJHAR
BTAD
ASSAM
PIN-783370

24:SANDIP KARMAKAR
S/O DULAL KARMAKAR
VILL- NORTH BANK KOLONI
WARD NO. 3
P.O.- KOKRAJAHR
DIST- KOKRAJHAR
BTAD
ASSAM
PIN-783370

25:MONESWAR DAS
S/O LT. CHIKATU DAS
VILL- DHOPERTAL
P.O. AND P.S.- FAKIRAGRAM
DIST- KOKRAJHAR
BTAD
ASSAM
PIN-783345

26:SANKAR CH. DAS
S/O SRI HARI NATH DAS
VILL. WARD NO. 3
BOROGRAM(BILASIPARA)
P.O. AND P.S. BILASIPARA

DIST. DHUBRI
ASSAM
PIN- 783348

27:SONARAM TERON
S/O LONKI TERON
VILL- AMBARI
P.O.- DEBITOLA (AMBARI)
P.S.- KAZIGAON
DIST- KOKRAJHAR

ASSAM
PIN-783339

28:KWRWM BASUMATARI
S/OSRI BIRENDRA BASUMATARI
VILL- DAWAGURI NO. 1
P.O.- GOLADONGI
P.S.- GOSSAIGAON
DIST- KOKRAJAHR
BTAD
ASSAM
PIN-783361

29:BIJIT BOSUMATARY
S/O CHIBENDRA BOSUMATARY
VILL- BANGLAPARA (BANGALPARA)
P.O.- DOLOGAON
DIST- KOKRAJHAR
BTAD
ASSAM
PIN-783370

30:JIBEN BRAHMA
S/O LATE RATESH CH. BRAHMA @ RAKESH BRAHMA
VILL. HATGIMATHA WARD NO. 8

P.O. AND DIST. KOKRAJHAR
BTAD
ASSAM
PIN-783370

31:DHAJEN KR. BOSUMATARI
S/O BIDYUT BOKASH BOSUMATARI
VILL. BELGURI
P.O. RAINADABRI
DIST. KOKRAJHAR
BTAD
ASSAM
PIN-783370

32:GADAO BRAHMA
S/O SRI TILSWAR BRAHMA @ TELESWAR BRAHMA
VILL- PHUKANGAON
P.O.- DALOGAON
P.S.- KOKRAJHAR
DIST- KOKRAJHAR
BTAD
ASSAM

PIN-783370

33:DILIP BARMAN
S/O LATE KAMALA KANTA BARMAN
VILL. NALDUBA
P.O. BIDYAPUR
DIST. BONGAIGAON
ASSAM
PIN-783372

34:SUPRIYA BASUMATARY
S/O BIPLAB BASUMATARY
VILL- KOKILINGBARI
P.O.- BINYAKHATA
P.S.- GOSSAIGAON
DIST- KOKRJAHAH
BTAD
ASSAM
PIN-783338

35:GOPAL SINGHA
S/O LATE SOROBINDU SINGHA
VILL. BHAKATGAON
P.O. AND P.S. CHAPOR
DIST. DHUBRI
ASSAM
PIN-783571

36:JIBDHAN NATH
S/O LATE NEPAL CH. NATH
VILL. NATHPARA (BAHALPUR)
P.O. BAHALPUR
P.S. CHAPOR

DIST. DHUBRI
ASSAM
PIN-783571

37:UKIL ROY
S/O BHOGARI ROY
VILL KHERAJGAONBHANGI

P.O. RUPSHI
P.S. GAURIPUR

DIST. DHUBRI
ASSAM
PIN-783331

38:ARJUN DAS
S/O ANIL CH. DAS
VILL. NORTH PAIPUR PT- I
(NEAR BAGMARI LP SCHOOL)
P.O. AND P.S. GOLOKGANJ
DIST. DHUBRI
ASSAM
PIN-783334

39:RAJU DEY
S/O NIKHIL CH. DEY @ NIKIL CH. DEY
CHAPOR WARD NO. 3
P.O. AND P.S.- CHAPOR
DIST- DHUBRI
ASSAM
PIN-783571

40:SATYAJIT THAKURIA
S/O DHARMESWAR THAKURIA

VILL CHAIBARI SIV MANDIR

P.O. CHOIBARI
P.S. CHAPOR

DIST. DHUBRI
ASSAM
PIN-783376

41:KAMALESH CH. ROY
S/O KAMINI KR. ROY

VILL AND P.O. MOTERJHAR

P.S. GOLOKGANJ
DIST. DHUBRI
ASSAM
PIN-783334

42:DIBOSH ROY
S/O LATE KHOKA ROY

VILL KHUDIMARI PT- II
P.O.KHUDIMAR
P.S. GAURIPUR

DIST. DHUBRI
ASSAM
PIN-783331

43:MAGRI LOHAR
S/O SATRUGHANA LOHAR

VILL FALIMARI

P.O.AND P.S. CHAPOR

DIST. DHUBRI
ASSAM
PIN-783571

44:DIPEN CH. ROY

S/O ROBINDRA NATH ROY

VILL. UTTARBAND

P.O.DEBOTTAR HASDOHA
P.S. GOLOKGANJ

DIST. DHUBRI
ASSAM
PIN-783334

45:KAMLESHWAR BOSUMATARI
S/OLATE DEOBAR BASUMATARI
VILL- DIABARI
P.O.- KOKRAJHAR
DIST- KOKRAJHAR
DIST- KOKRAJHAR
ASSAM
PIN-783370

46:BISNUPADA ROY
S/O LALIT ROY

VILL BISANDOI PART- II
P.O.BARUNDANGA
P.S. GOLOKGANJ

DIST. DHUBRI
ASSAM
PIN-783334

47:GOPINATH DAS
S/OLATE CHANMOHAN DAS
VILL- BARUAPARA NO. 1
P.O.- BHAWRAGURI
PIN-783336
DIST- KOKRAJHAR
BTAD
ASSAM

48:BINOD MIRDHA
S/O LATE DEBEN MIRDHA
VILL- DHAULIGURI (JOYMA)
P.O. AND P.S.- GOSSAIGAON
DIST- KOKRAJHAR
BTAD
ASSAM
PIN-783360

49:SAMBHU CH. NATH
S/O RAMKAMAL CH. NATH

VILL BIDYAPARA PT- II (NATHPARA)
P.O.KHALILPUR
P.S. GAURIPUR

DIST. DHUBRI
ASSAM
PIN-783324

50:JOYNAL HOQUE
S/O BONDAY ALI SHEIKH

VILL ADABARI PT- II
P.O.CHAGALCHARA

DIST. DHUBRI
ASSAM
PIN-783324

51:TAPAN GAYARY
S/O LATE SAMBARU GAYARY
VILL- BIYABARI
P.O.- KOKRAJHAR
DIST- KOKRAJHAR
ASSAM
PIN-783370

52:NUR HUSSAIN

S/O HANIF ALI

VILL ANAND NAGAR WARD NO. 3
P.O.BILASIPARA

DIST. DHUBRI
ASSAM
PIN-783348

53:ANISUR ISLAM
S/O AJIMUDDIN AHMED
VILL GAURIPUR WARD NO. 4
P.O. GAURIPUR

DIST. DHUBRI
ASSAM
PIN-783331

54:BHANULAL DAS
S/O LATE MOHAN LAL DAS

VILL KRISHNA NAGAR

P.O.BILASIPARA

DIST. DHUBRI
ASSAM
PIN-783348

55:SOMIR KR. DAS
S/O HORINATH DAS
VILL BOROGRAM DIMATALA WARD NO. 3
P.O.BILASIPARA

DIST. DHUBRI
ASSAM
PIN-783348

56:PUARNABASHI PAUL
S/O GONESH CH. PAUL

VILL BAHAKATI

P.O.PAGLAHAT

DIST. DHUBRI
ASSAM
PIN-783334

57:SAHABUDDIN SHEIKH
S/O KABUL SHEIKH

VILL KHUDIMARI PT- II
P.O.KHUDIMAR
P.S. GAURIPUR

DIST. DHUBRI
ASSAM
PIN-783331

58:MONINDRA NATH ROY
S/O NONKISHORE ROY

VILL BATHUATALI
P.O.BALAJAN
P.S. GOLOKGANJ

DIST. DHUBRI
ASSAM
PIN-783331

59:NIRMAL CH. ROY
S/O KAMINI KUMAR ROY@ KAMINI KT. ROY

VILL AND P.O.MOTERJHAR
P.S. GOLOKGANJ

DIST. DHUBRI
ASSAM
PIN-783334

60:AJOY KR. BRAHMA
S/O MUNINDRA NATH BRAHMA
WARD NO. 10
KOKRAJHAR
P.O.- KOKRAJAHR
DIST- KOKRAJAHR
BTAD
ASSAM
PIN-783370

61:TARAK CH. SARKAR
S/O LATE JOGAT CH. SARKAR

VILL JHAPUSABARI PARTT- III
P.O.SOUTH JHAPUSABARI

P.S. AGOMONI

DIST. DHUBRI
ASSAM
PIN-783335

62:SANJOY KR. ROY
S/O PRANESHWAR ROY

VILL BOWMARI

P.O.AND
P.S. CHAPOR

DIST. DHUBRI
ASSAM
PIN-783371

63:RINASH BOSUMATARY
S/O GAJEN BOSUMATARY
VILL- KOCHUGAON
P.O.- GOSSAIGAON
DIST- KOKRJHAR
BTAD
ASSAM
PIN-783360

64:PUSPA BASUMATARY
S/O HARESWAR BOSUMATARY
VILL- SUTARPARA
P.O.- HALTUGAON
P.S.- KOKRAJHR
DIST- KOKRAJHAR
BTAD
ASSAM
PIN-783370

65:GOBIDA CH. BARMAN
S/O BALENDRA CH. BARMAN
VILL- MAHENDRAPUR
P.O.- BHAWRAGURI
P.S.- GOSAIGAON
DIST- KOKRJHAR
BTAD
ASSAM
PIN-783336

66:DEBANANDA BOSUMATARY

S/O AJIT BOSUMATARY
VILL- HARIGAON
P.O.- KALIPUKHURI
DIST- KOKRAJHAR
BTAD
ASSAM
PIN-783369

67:SANAN BRAHMA
S/O KIRAN BRAHMA
WARD NO. 10
KOKRAJHAR
DIST- KOKRAJHAR
BTAD
ASSAM
PIN-783370

68:HORENDRA NARZARY
S/O LATE AKENDRA NARZARY
VILL- UNKNOWN
P.O.- MAGURMARI
DIST- KOKRAJHAR
BTAD
ASSAM
PIN-783370

69:SANJIT NATH
S/O LATE LOLIT MOHAN NATH

P.O.AND P.S. KOKRAJHAR
PIN-783331
DIST. KOKRAJHAR
BTAD
ASSAM

70:LAKSMAN BOSUMATARY
S/O MONGAL SINGH BOSUMATARY
VILL AND P.O.- BASHBARI
P.S.- KAZIGAON
DIST- KOKRAJAHR
BTAD
ASSAM
PIN-78337

For the appellants : Mr. M. Hossain, Advocate
For the respondents : Mr. S.P. Sharma, S.C., A.P.D.C.L.

– B E F O R E –

HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR

HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

18-03-2026

(Ashutosh Kumar, C.J.)

We have heard Mr. M. Hossain, learned counsel for the appellants and Mr. S.P. Sharma, learned Standing Counsel, APDCL for the respondent Nos.1 to 7.

2. The Assam Power Distribution Company Limited (hereinafter to be referred as “APDCL”) had issued a public advertisement sometimes in the month of April, 2013 inviting applications for 1064 posts of Sahayak. The advertisement clearly divided the posts into two separate categories, namely, Category-A, which was meant for direct recruitment for ITI pass-outs like the appellants and Category-B for experience-holders temporary workers who had worked at least three years in any power utility. The appellants herein being the candidates for Category-A posts had applied against the advertisement, appeared for physical fitness test and also participated in the interview. A re-examination was held after the first round of examination had been cancelled, in which also the appellants had participated and, according to their estimation, they had performed well. However, their names were not included in the select list published on 21.02.2014. To their dismay, surprise and chagrin, the appellants discovered that many of the candidates for Category-B post,

who have been impleaded as respondent Nos.8 to 70 in this appeal, had been selected. The information gained through RTI mechanism made the appellants understand that the respondents claimed “experience” on the basis of the certificates which were not issued by the competent officers, namely, Assistant General Manager of the Power Utility, which was the specification in the advertisement. Some of the certificates relied upon by the respondents were only experience certificates for nine months and some of the certificates were of the persons who had not even come of the age of appearing in the public examination. There were many, according to the RTI information to the appellants, who had not even passed standard VIII, the minimum qualification required for Category-B posts. Some of the documents furnished by the respondent Nos.8 to 70 were either issued or attested only after the last date of submission of application which was 30th April, 2013.

- 3.** The challenge of the appellants to those appointments failed.
- 4.** The contention of the appellants is that the irregularities pointed out made the selection of the afore-noted respondents absolutely illegal, arbitrary and violative of the provisions of the Constitution of India.
- 5.** These contentions were sought to be negated by the APDCL authorities on the ground that there were two categories of applicants with different streams and the appellants being the candidates for Category-A posts, did not have any locus to challenge the selection for Category-B posts.
- 6.** Further, on merits, it was argued before the learned Single Judge as also before this Court that the certificates of experience, which were filed

by some of the respondents and which certificates had not been signed by the appropriate authority, were later permitted to be rectified and the appropriate authority ultimately signed those certificates.

7. The learned Single Judge found that the writ petition preferred by the appellants herein was, though maintainable, but the allegations were such that it could not have been acted upon.

8. Apart from that, the learned Single Judge found that earlier, a Division Bench of this Court had directed the APDCL to conduct a fresh verification exercise with respect to such appointments and if any candidate for the Category-B post was found to have submitted documents pertaining to qualifications or experience after the last date of submission of application (30th April, 2026), or if any such experience was gained while the candidate was a minor, those appointments would be required to be treated as void from the beginning and would be terminated after giving notice to them. The resulting vacant post would then be offered to the next meritorious candidates which might include the appellants if they fell within the merit zone. However, the learned Single Judge rightly chose not to quash all Category-B selections outright and left the verification process to be carried out by the authorities without fixing any time limit.

9. Mr. S.P. Sharma, learned Standing Counsel, APDCL submits that pursuant to the afore-noted Division Bench judgment, a thorough exercise was conducted and some of the appointees in Category-B, whose experience certificates or age were found to be faulty, were removed from service. That exercise having been done and the rest of

the respondents continuing in service from 2014 till date, there is no reason why this appeal should be entertained at the instance of the failed candidates for Category-A posts.

10. In view of the afore-noted direction of the Division Bench and the exercise carried out by the respondent/APDCL in compliance thereof, nothing remains to be adjudicated in this appeal.

11. Accordingly, we find no merit in this appeal and dismiss the same.

JUDGE

CHIEF JUSTICE

Comparing Assistant