

GAHC010224122024



undefined

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

**Case No. : WP(C)/5557/2024**

DEEPIKA DADANI  
C/O- BINEET DEY, H.NO-6, MILAN PATH, NEAR CIRCULAR PATH, RUKMINI  
NAGAR, ASSAM SACHIVALAYA, KAMRUP (M), ASSAM, PIN-781006

VERSUS

THE STATE OF ASSAM AND 4 ORS  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,  
PERSONNEL-A, DEPARTMENT  
DISPUR, GUWAHATI-06

2:THE SECRETARY  
TO THE GOVT. OF ASSAM  
PERSONNEL-A  
DEPARTMENT  
DISPUR  
GUWAHATI-06

3:THE JOINT SECRETARY  
TO THE GOVERNMENT OF ASSAM  
PERSONNEL-A  
DEPARTMENT

DISPUR  
JANATA BHAWAN  
GUWAHATI-6.

4:THE CIRCLE OFFICER  
DISPUR REVENUE CIRCLE  
GOVT. OF ASSAM  
DISPUR  
KAMRUP (M)

GUWAHATI-29

5:ASSAM PUBLIC SERVICE COMMISSION  
REP. BY THE SECRETARY  
JAWAHAR NAGAR  
KHANAPARA. GUWAHATI-2

**Advocate for the Petitioner** : MR K CHOUDHURY, MR. N SARMA,MR. A KASHYAP,K  
AHMED,MR. S P SHARMA

**Advocate for the Respondent** : GA, ASSAM, SC, APSC,SC, REVENUE

**BEFORE**  
**HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

**ORDER**

**Date : 09.01.2025**

Heard Mr. Kaushik Choudhory, learned counsel for the petitioner. Also heard Mr. J. K. Goswami, learned Addl. Senior Government Advocate, appearing for the State Respondents.

The petitioner was selected by the Assam Public Service Commission(APSC) pursuant to the Combined Competitive Examination, 2022, for appointment into the Assam Civil Services. However, such selection of the petitioner came to be kept on hold, pending verification of her original inhabitant status in terms of the mandated provisions of sub-Rule (d) of Rule 5 of the Assam Public Services Combined Competitive Examination, Rules, 1989.

In terms of the provisions of sub-Rule(d) of Rule 5 of the Assam Public Services Combined Competitive Examination, Rules, 1989, a candidate must be an original inhabitant of Assam.

Mr. Goswami, learned Addl. Senior Government Advocate, appearing for the respondents, has submitted that the inquiry as initiated in the matter, has been

completed and the matter is now being examined by the competent authority and it is expected that a final decision in the matter would be taken, shortly. Mr. Goswami, learned Addl. Senior Government Advocate, has further clarified that the competent authority would take the decision in the matter with regard to the candidature of the petitioner, herein, within a period of 10(ten) days from today.

Mr. Choudhury, learned counsel for the petitioner, has submitted that the select list in pursuance of the Combined Competitive Examination, 2022, was published on 17.01.2024, and the same would lose its validity on 16.01.2025, and the respondents may take a plea that the select list having lost its validity, no appointment therefrom, would be permissible to be made.

The said apprehension as raised by the petitioner, in the considered view of this Court, is clearly misplaced in-as-much as the petitioner having instituted the present proceeding during the validity of the said select list; the validity of the select list would stand extended till the present proceeding is finally considered and a decision rendered therein, by this Court.

Further, the said apprehension can also be looked into when the matter is taken-up for final decision by this Court.

In view of the above, Registry is directed to list this matter on 23<sup>rd</sup> of January, 2025, on which date, Mr. Goswami, learned Addl. Senior Government Advocate, shall place before this Court, the decision arrived at in the matter by the competent authority with regard to the eligibility of the petitioner, herein, for being appointed to the Assam Civil Services in terms of her selection by the Assam Public Service Commission(APSC).

Interim order passed by this Court earlier, shall continue until further orders.

**JUDGE**

**Comparing Assistant**