

GAHC010230812024



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

Case No. : Cont.Cas(C)/576/2024

SMTI RUBI GOSWAMI
W/O- LATE MUNINDRA SARMA, R/O- VILLAGE AND P.O. MAZIRGAON,
DIST. KAMRUP(M), ASSAM

VERSUS

NARAYAN KONWAR
SECRETARY TO THE GOVT. OF ASSAM, SCHOOL EDUCATION
DEPARTMENT, DISPUR, GHY-6.

Advocate for the Petitioner : MR P SARMAH,

Advocate for the Respondent : MR S M T CHISTIE, MS. S KONWAR,MR. U SARMA

BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN

ORDER

22.10.2025

Heard Mr. P. Sarmah, learned counsel for the petitioner. Also heard Mr. U. Sarma, learned counsel for the respondent/contemnor and Ms. D.D. Barman, learned Additional Senior Government Advocate for the Personnel Department.

Pursuant to the order dated 15.10.2025, Ms. Barman has obtained written instruction from the Personnel Department and submits that in view of the O.M. No.ABP.50/2006/Pt/182, dated 01.06.2015, Clause 16 specifies that the SLC is the competent to grant relaxation of upper age limit as per existing policy and Personnel Department has no say in this matter.

Ms. Barman has also produced a copy of office memorandum dated 01.06.2015 and perusal of Clause 16 indicates that the upper age limit could be relaxed wherever found to be necessary as per the existing Government policy. The lower age limit shall, however, in no case be relaxed below 18 years. Age eligibility shall be determined with reference to the date of application and not the date of appointment. The State Level Committee shall be competent to grant relaxation of upper age limit for making such appointment as per existing Government policy.

In view of above, Mr. Sarma, learned counsel for the respondent/contemnor submits that he may be granted sometime to obtain up to date instruction as to why the matter was referred to the Personnel (B) Department, if the SLC has the power to relax the same.

Prayer is allowed.

Registry shall list the matter on 24.10.2025 as part heard.

The letter produced before the Court today shall be marked as Annexure-Z and be tagged with the record.

Sd/- Robin Phukan
JUDGE

Comparing Assistant