

GAHC010236582025



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

Case No. : WP(C)/6140/2025

NAYAN JYOTI SARMA AND ORS
S/O KUMUD CHANDRA SARMA/O H. NO. 14, SUKAPA PATH, TOWN -
GUWAHATI.P.O - PANJABARI, P.S - SATGAON, PIN - 781037, KAMRUP
METRO, ASSAM

2: KULDIP RAJBONGSHI
S/O CHANDRA KANTA RAJBONGSHIR/O GHORAMARA
NIRIBILI PATH
GUWAHATI-28
TOWN - GUWAHATI.P.O/ - BELTOLA
P.S - HATIGAON
PIN 781028
KAMRUP METRO
ASSAM

3: ROHAN MAHMOOD
S/O ABDUR RASHID/O ABHAYAPURI WARD NO 01
TOWN - ABHAYAPURI.P.O/P.S - ABHAYAPURI
PIN 783384
BONGAIGAON
ASSAM

4: FARUQUE MOHAMMAD SAIKIA
S/O LATE MAHCHIN ALI SAIKIAR/O HAJO DAULASHAL PATH
VILL - LOHARKATHA P.O - LOHARKATHA
P.S - MUKALMUA
PIN 781126
NALBARI
ASSAM

5: NAZNINA YESMIN
D/O AKBAR ALI R/O D2
BLOCK II
AMAN HERITAGE

MOTHER TERESA PATH
OPP HATIGAON POLICE STATION
HATIGAON
TOWN GUWAHATI.P.O - GUWAHATI
PIN 781038
KAMRUP METRO
ASSAM

6: RUPAK KALITA
S/O ARABINDA CHANDRA KALITAR/O WARD NO 01
COLLEGE ROAD
JYOTI NAGAR
NEAR TOWN COMMITTEE OFFICE PATHSALA
TOWN - PATHSALA.P.O - PATHSALA
P.S - PATACHARKUCHI
PIN 781325
BAJALI
ASSAM

7: KAMAL DAS
S/O RASHMI DASR/O RUPNAGAR
SANKARDEV PATH
HOUSE NO - 45
TOWN - RUPNAGAR
GUWAHATI.P.O - INDRAPUR
P.S - BHANGAGARH
PIN 781032
KAMRUP METRO
ASSAM

8: RAJIB KR DEKA
S/O - MADHU RAM DEKAR/O VILL BAGTA
P.O - BAGTA
P.S - HAJI
PIN 781102
KAMRUP RURAL
ASSAM

9: ANKUR JYOTI DAS
S/O -NIROD CH. DASR/O PANDU SADILAPUR
JALUKBARI
GUWAHATI-781012
TOWN - PANDU GHYP.O - PANDU
P.S - JALUKBARI
PIN 781012
KAMRUP METRO
ASSAM

10: SYEDA NASHRIN SULTANA
D/O SYED NAJIBUDDIN AHMEDR/O NALBARI MALIKUCHI WARD NO-2
781335
NALBARI
ASSAM

11: PARBIN EYASMIN
D/O TAIZUDDIN AHMEDR/O VILLAGE BARNI
P.S. HAJO
KAMRUP
78110

VERSUS

THE STATE OF ASSAM AND ORS
REP. BY THE COMMISSIONER AND SPECIAL SECRETARY TO THE GOVT.
OF ASSAM PUBLIC WORKS ROADS DEPTT. ASSAM SECRETARIAT DISPUR
GUWAHATI-6.

2:THE COMMISSIONER AND SPECIAL SECRETARY TO THE GOVT OF
ASSAM PUBLIC WORKS ROADS DEPTT
ASSAM SECRETARIAT DISPUR GUWAHATI-6.

3:THE COMMISSIONER AND SPECIAL SECRETARY TO THE GOVT OF
ASSAM PUBLIC WORKS BUILDING AND NH DEPTT
ASSAM SECRETARIAT DISPUR GUWAHATI-6
2022

4:THE ADDITIONAL CHIEF ENGINEER (P)

PWD ROADS
OFFICE OF THE CHIEF ENGINEER
PWD ROADS
ASSAM
CHANDMARI
GUWAHATI

5:THE FINANCE DEPARTMENT
REPRESENTED BY ITS COMMISSIONER SECRETARY TO THE
GOVERNMENT OF ASSAM
GROUND FLOOR
F BLOCK
JANATA BHAWANDISPUR
GUWAHATI 781006

6:ASSAM PUBLIC SERVICE COMMISSION
REP BY ITS CHAIRMAN
JAWAHAR NAGAR KHANAPARA

GUWAHATI ASSAM PIN-78102

Advocate for the Petitioner : MR B P BORAH, MR. U S BORA,MR J. B. CHOUDHURY,MISS. J GOGOI,MR. A KHANDAKAR

Advocate for the Respondent : SC, APSC, SC, PWD,SC, FINANCE

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

31.10.2025

Heard Mr. DP Borah, learned counsel for the petitioners.

The petitioners are appointed as Junior Engineer (Civil) under Public Works Department under Regulation 3 (f) of the APSC Regulations, 1951. Their appointments were terminated on 25.06.2024 and thereafter, they were reappointed on 27.08.2024 and as on date they are still serving as Junior Engineers (Civil) in PWD on 3(f). Meanwhile, as many as 650 posts have been advertised for regular selection to be conducted by the Assam Public Service Commission and it is submitted that at least 5 of the writ petitioners were qualified in the written test. It is the apprehension of the writ petitioners that in view of the advertisement issued, these writ petitioners may be terminated again for making way for the fresh appointments. The petitioners are apprehensive that in view of the selection process their extensions for employment under 3(f) will not be continued. They may be terminated and

given fresh appointment which have been resorted to earlier by the Department. Under such circumstances, this writ petition has been filed.

Mr. P. Nayak, learned Additional Advocate General, Assam appears for the respondents no. 1 to 5 and Mr. TJ Mahanta, learned Senior Counsel assisted by Ms. P. Sarma, learned counsel appears for the respondent no.6.

Mr. TJ Mahanta, learned Senior Counsel appearing for the respondent no.6 submits that the selection process is nearing completion, as today is the last date for documents verification. Once these steps are undertaken then the final select list will be published and thereafter, the Department will proceed for appointment as per law.

Mr. P. Nayak, learned Additional Advocate General, Assam referring to the Annexure-VII submits that the last extension to the writ petitioners were granted on 13.09.2025 and which will operate till the next 4 (four) months i.e. till 12.01.2026. As on date the petitioners are serving and therefore, there can be no apprehension during the currency of the present extension. He, therefore, submits that no interim order is called for at this stage.

Having heard the learned counsel for the parties, Issue Notice, returnable by 4 (four) weeks.

Since all the respondents are represented by their respective counsel, Notices are waived. However, extra copies be furnished to them within a period

of 1 (one) week from today.

The respondents will complete their instructions and file necessary affidavit, if so advised in the meantime.

Issue notice on the stay prayer.

List the matter again on 03.12.2025.

JUDGE

Comparing Assistant