

GAHC010284312023



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

Case No. : WP(C)/7413/2023

NARAYAN NUNIA AND 27 ORS
SON OF INDRA KUMAR NUNIA,
RESIDENT OF VILLAGE- SERISPUR BAZAR,
ITORKANDI PART-I,
POLICE STATION- HAILAKANDI,
DISTRICT- HAILAKANDI,

2: RUHUL AMIN LASKAR
SON OF ABDUL HOQUE LASKAR

RESIDENT OF VILLAGE- MATIRGRAM

POLICE STATION- ALGAPUR
DISTRICT-
HAILAKANDI
ASSAM.

3: BABLU HUSSAIN TAPADAR
SON OF AZAD UDDIN TAPADAR

RESIDENT OF VILLAGE- VICHINGCHA PART- I
POLICE STATION- HAILAKANDI

DISTRICT- HAILAKANDI
ASSAM.

4: DEBU KUMAR DAS
SON OF DILU KUMAR DAS

RESIDENT OF VILLAGE- MOHONPUR RA

POST OFFICE- RATANPUR ROAD

POLICE STATION- HAILAKANDI

DISTRICT- HAILAKANDI
ASSAM.

5: SHAMIM AHMED MAZARBHUIYA
SON OF AFTAR ALI MAZARBHUIYA

RESIDENT OF VILLAGE- BALIKANDI PART- II

POST OFFICE- BASHBARI

POLICE STATION- HAILAKANDI

DISTRICT- HAILAKANDI
ASSAM.

6: DILWAR HUSSAIN LASKAR
SON OF AZIR UDDIN LASKAR

RESIDENT OF VILLAGE- LAKSHISAHAR
WARD NO. VIII

POLICE STATION- HAILAKANDI

DISTRICT- HAILAKANDI
ASSAM.

7: BIDHU DAS
RESIDENT OF VILLAGE- KALINAGAR
POST
OFFICE- NORTH NARAINPUR

POLICE STATION- ALGAPUR

DISTRICT- HAILAKANDI
ASSAM.

8: HIFZUR RAHMAN BARBHUIYA
SON OF ABDUL SATTAR BARBHUIYA

RESIDENT OF VILLAGE- UJANKUPA PART-III

POST OFFICE- UJANKUPA

POLICE STATION- HAILAKANDI

DISTRICT- HAILAKANDI
ASSAM.

9: PAPPU ROY
SON OF SAJAL ROY

RESIDENT OF VILLAGE- ALGAPUR PART-I

POST OFFICE- ALGAPUR

POLICE STATION- ALGAPUR

DISTRICT- HAILAKANDI
ASSAM.

10: TAIBUR RAHMAN BARBHUIYA
SON OF ABDUL SATTAR BARBHUIYA

RESIDENT OF VILLAGE- UJANKUPA PART-
III

POST OFFICE- UJANKUPA

POLICE STATION- HAILAKANDI

DISTRICT- HAILAKANDI
ASSAM.

11: BADRUL ISLAM MAZUMDER
SON OF NIZAM UDDIN MAZUMDER

RESIDENT OF VILLAGE- NITAINAGAR PART- III

POST OFFICE- NITAINAGAR

POLICE STATION- HAILAKANDI

DISTRICT- HAILAKANDI
ASSAM.

12: RAMU DEB
SON OF KHIROD DEB

RESIDENT OF VILLAGE- NATUNPARA WARD NO-7

GANGPAR DHONKAR

POLICE STATION- HAILAKANDI

DISTRICT- HAILAKANDI
ASSAM.

13: IZAZUR RAHMAN BARBHUIYA
SON OF SAKAT ALI BARBHUIYA

RESIDENT OF VILLAGE- BAKRIHAWAR
PART-XII
POLICE STATION- ALGAPUR

DISTRICT- HAILAKANDI
ASSAM.

14: BAPPON HUSSAIN LASKAR
SON OF REJAK ALI LASKAR

RESIDENT OF VILLAGE- RATAKANDI

KANCHANPUR PART-I

POLICE STATION- HAILAKANDI

DISTRICT- HAILAKANDI
ASSAM.

15: SAHJAHAN LASKAR
SON OF ANAM UDDIN LASKAR

RESIDENT OF VILLAGE- NARAINPUR PART-
II
POST OFFICE- NORTH NARAINPUR

BURNI BREASE GRANT

POLICE STATION- ALGAPUR

DISTRICT- HAILAKANDI
ASSAM.

16: BIJON CHANDRA SEAL
SON OF BIMAL CH. SEAL

RESIDENT OF VILLAGE- BASHDAHAR PART- I

POST OFFICE- RATANPUR ROAD

POLICE STATION- HAILAKANDI

DISTRICT- HAILAKANDI
ASSAM.

17: ROFIQUE AHMED MAZARBHUIYA
SON OF TOJOMUL ALI MAZARBHUIYA

RESIDENT OF VILLAGE- UJANKUPA PART-I

POST OFFICE- LAKSHMISAHAR

POLICE STATION- HAILAKANDI

DISTRICT- HAILAKANDI
ASSAM.

18: MEHBUB AHMED LASKAR
SON OF NIZAM UDDIN LASKAR

RESIDENT OF VILLAGE- CHANDPUR

POST OFFICE- CHANDPUR WEST

POLICE STATION- HAILAKANDI

DISTRICT- HAILAKANDI
ASSAM.

19: LAKHIPRASED REE
SON OF NANKA REE

RESIDENT OF VILLAGE- SERISPORE TE

POST OFFICE- CHANDPUR WEST

POLICE STATION- HAILAKANDI

DISTRICT- HAILAKANDI
ASSAM.

20: WBAYDUR RAHMAN CHOUDHURY
SON OF ABUL KASHIM CHOUDHURY

RESIDENT OF VILLAGE- RANGAUTI PART- III

POST OFFICE- RANGAUTI

POLICE STATION- HAILAKANDI

DISTRICT- HAILAKANDI
ASSAM.

21: MAJIBUR RAHMAN LASKAR
SON OF SURMAN ALI LASKAR

RESIDENT OF VILLAGE- RATAKANDI

KANCHANPUR PART-I

POLICE STATION- HAILAKANDI

DISTRICT- HAILAKANDI
ASSAM.

22: TIMALA RABIDAS
SON OF MOHANLAL RABIDAS

RESIDENT OF VILLAGE- SERISPORE TE

POST OFFICE- CHANDPUR WEST

POLICE STATION- HAILAKANDI

DISTRICT- HAILAKANDI
ASSAM.

23: AKLAS UDDIN LASKAR
SON OF MAHARAM ALI LASKAR

RESIDENT OF VILLAGE- VICHINGCHA PART- I

POST OFFICE- VICHINGCHA

POLICE STATION- HAILAKANDI

DISTRICT- HAILAKANDI
ASSAM.

24: DILWAR HUSSAIN LASKAR
SON OF MOHORAM ALI LASKAR

RESIDENT OF VILLAGE- UJANKUPA PART- III

POST OFFICE- UJANKUPA

POLICE STATION- HAILAKANDI

DISTRICT- HAILAKANDI
ASSAM.

25: MOZMUL HUSSAIN KHAN
SON OF FAIJUR RAHMAN KHAN

RESIDENT OF VILLAGE- DAKHINSUNAPUR PART-I

POLICE STATION- HAILAKANDI

DISTRICT- HAILAKANDI
ASSAM.

26: RAJU ROY
SON OF ANANTA ROY

RESIDENT OF VILLAGE- PADMARPAR

POST OFFICE- KALIBARI BASAR

POLICE STATION- ALGAPUR

DISTRICT- HAILAKANDI
ASSAM.

27: AZAR UDDIN LASKAR
SON OF SARAFAT ALI LASKAR

RESIDENT OF VILLAGE- NARAINPUR PART- IV

POST OFFICE- UJANKUPA

POLICE STATION- HAILAKANDI

DISTRICT- HAILAKANDI
ASSAM.

28: TAIBUR RAHMAN LASKAR
SON OF MOSKONDAR ALI LASKAR

RESIDENT OF VILLAGE- SAYEDBOND PART-III

POST OFFICE- KALIBARI BAZAR
POLICE STATION- ALGAPUR
DISTRICT- HAILAKANDI
ASSAM

VERSUS

THE STATE OF ASSAM AND 7 ORS
REPRESENTED BY THE COMMISSIONER

AND SECRETARY TO THE GOVT. OF ASSAM,
POWER (ELECTRICITY) DEPARTMENT,
DISPUR, GUWAHATI, ASSAM, PIN-
781006.

2:THE CHAIRMAN
ASSAM POWER DISTRIBUTION COMPANY LIMITED (APDCL)
BIJULEE BHAWAN

PALTANBAZAR
GUWAHATI-781001.

3:THE MANAGING DIRECTOR
ASSAM POWER DISTRIBUTION COMPANY LIMITED (APDCL)
BIJULEE BHAWAN

PALTANBAZAR
GUWAHATI-781001.

4:THE CHIEF GENERAL MANAGER (HRA)
ASSAM POWER DISTRIBUTION COMPANY LIMITED (APDCL)

BIJULEE BHAWAN
PALTANBAZAR
GUWAHATI- 781001.

5:THE COMPANY SECRETARY
ASSAM POWER DISTRIBUTION COMPANY LIMITED (APDCL)
BIJULEE BHAWAN

PALTANBAZAR
GUWAHATI-781001.

6:THE CHIEF EXECUTIVE OFFICER
BADARPUR ELECTRICAL CIRCLE
ASSAM POWER DISTRIBUTION COMPANY LIMITED
(APDCL)
CAR
BADARPUR
DISTRICT-
KARIMGANJ
ASSAM
PIN- 788806.

7:HE ASSISTANT GENERAL MANAGER
HAILAKANDI ELECTRICAL DIVISION
ASSAM POWER DISTRIBUTION
COMPANY LIMITED (APDCL)

CAR

DISTRICT- HAILAKANDI
ASSAM
PIN-
788155

8:THE SUB-DIVISIONAL ENGINEER
HAILAKANDI ELECTRICAL SUB-DIVISION
ASSAM POWER DISTRIBUTION COMPANY
LIMITED (APDCL)
ASSAM
PIN- 788155

Advocate for the Petitioner : MR. D HUSSAIN

Advocate for the Respondent : SC, APDCL

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 20-12-2023

Heard Mr. D. Hussain, learned counsel for the writ petitioners.

Perused the averments made in the writ petition.

The petitioners are seeking a direction from this Court upon the respondents to consider their cases for promotion to the next higher post.

Mr. K.P. Pathak, learned standing counsel, APDCL prays for some time to obtain instruction in the matter.

Issue notice of motion returnable in 06 weeks.

Since Ms. M. Bhattacharjee, learned Addl. Sr. Govt. Advocate, Assam has accepted notice on behalf of respondent No. 1 and Mr. Pathak for respondent Nos. 2 to 8, service of notice is deemed to be complete in this case.

Extra copies of the writ petition, requisite in numbers, be furnished to the learned counsel for the respondents so as to enable them to obtain instruction.

It is made clear that pendency of this writ petition shall not constitute a bar for the respondents to verify the documents pertaining to the writ petitioners so as to assess, if they are otherwise eligible to be considered for granting the relief prayed for in this writ petition.

The question of maintainability of the writ petition is kept open and shall be gone into at the stage of admission hearing.

JUDGE

GS

Comparing Assistant