

GAHC010116652019



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

Case No. : WP(C) 3568/2019

1:CHANDRA KANTA GOALA AND 7 ORS.
S/O- CHAMPALAL GOALA, R/O- VILL- MATUNGRAM, P.O. CHOTONANDA,
P.S. LAKHIPUR, DIST- CACHAR, ASSAM

2: KARIM UDDIN BORBHUIYAN
S/O- INNUSH ALI BARBHIUYAN
R/O- TILLAGRAM
P.O. TARAPUR
DIST- CACHAR
ASSAM
EXPERIENCE- HOME GUARD TRAINED
WORKING AS HOME GUARD

3: AHAD AHMED LASKAR
S/O- ABDUL HAQUE LASKAR
R/O- VILL AND P.O. DHANCHARI PART-I
P.S. SONAI
DIST- CACHAR

ASSAM

4: RUHUL AMIN CHOUDHURY
S/O- KOMAN UDDIN CHOUDHURY
R/O VILL AND P.O. SAIDPUR
PART-IV
P.S. SILCHAR
DIST- CACHAR
ASSAM
NCC(C) CERTIFICATE
STUDYING B.A. PART-II
COMPUTER KNOWLEDGE

5: DIPAK DEB
S/O- RANU DEB
R/O- MALUGRAM
P.O. AND P.S. SILCHAR
DIST- CACHAR
ASSAM
(COMPUTER KNOWLEDGE)

6: SIBA KUMAR DAS
S/O- BABUL CHANDRA DAS
R/O- VILL- ITKHOLA
P.O. AND P.S. SILCHAR
DIST- CACHAR
ASSAM

7: AJIT GOALA
S/O- CHINDRIKA GOALA
R/O- VILL AND P.O. KAPTANPUR-I
P.S. LAKHIPUR
DIST- CACHAR
ASSAM

8: SAMIRAN DAS
S/O- DHIRENDRA CHANDRA DAS
R/O- VILL- LAMARGRAM
TARAPUR
P.O. KHELMA TARAPUR
P.S. SILCHAR
DIST- CACHAR
ASSA

VERSUS

1:THE STATE OF ASSAM AND 4 ORS.
THROUGH THE COMM. AND SECY. TO THE GOVT. OF ASSAM, HOME
DEPTT., DISPUR, GHY-6

2:THE DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI
B.K.KAKATI ROAD

GHY-7

3:THE ADDL. DIRECTOR GENERAL OF POLICE
(TAP)
ASSAM
ULUBARI
B.K.KAKATI ROAD
GHY-7

4:THE INSPECTOR GENERAL OF POLICE (ADMN.)
ASSAM
ULUBARI
B.K.KAKATI ROAD
GHY-7

5:THE SUPERINTENDENT OF POLICE
CACHAR
SILCHAR
DIST- CACHAR
ASSA

Advocate for the Petitioner : MS. S KANUNGOE

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE N. KOTISWAR SINGH

ORDER

Date : 31-05-2019

Heard Mr. S. Kanungoe, learned counsel for the petitioners. Also heard Mr. S. S. Roy, learned Government Advocate, Assam.

2) The only plea raised in this petition is that though the petitioners along with other colleagues had approached this Court in the year 2010 for appointment to the posts of Constable by filing a writ petition, at the time of filing of the writ petition because of some mistakes, their names were not included in the list of the petitioners. It has been submitted that the said writ petition being WP(C) No.2725 of 2010 was disposed of by this Court on 22.02.2019 granting amongst others, the following reliefs:

“(1) The respondents are directed to consider the case of the petitioners for their appointment to the post of Armed Branch Constable or in any other equivalent post in the vacancies available i.e. current and next available vacancies. If the vacancies are limited, the petitioners will be considered in a phase manner till all of them are considered. (2) If it is found that the petitioners in the meantime have become overaged, the respondent authorities shall give them age relaxation as may be required. (3) It is made clear that the respondents without considering the case of the petitioners shall not fill up any post of Armed Branch Constable.”

3) It has been submitted by the learned counsel for the petitioners that because of the omission of the names of the petitioners from the said petition, the petitioners have not been granted the aforesaid relief. The petitioners submit that they are otherwise similarly situated along with all these petitioners in WP(C) No.2725/2010.

4) In that view of the matter, the present petition is disposed of with the direction to the respondent authorities to consider the plea of the petitioners for grant of similar benefits, if they are found to be similarly situated as those petitioners in WP (C) No.2725/2010 by issuing a speaking order within a period of 1 (one) month from the date of receipt of a certified copy of this order.

JUDGE

Comparing Assistant