

GAHC010100922019



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

Case No. : WP(C) 3015/2019

1:KRISHNA HAZARIKA AND 29 ORS.
C/O. DHARANI HAZARIKA, NAMGHAR PATH, PUNJABARI, GUWAHATI-37,
DIST. KAMRUP (M), ASSAM.

2: ANURADHA DAS
C/O. BIRINCHI BAISHYA
GOTA NAGAR
TATELIA NURSERY
GUWAHATI-11
DIST. KAMRUP (M)
ASSAM.

3: JAYEETA BHACHARJEE

C/O. ANIRUDDHA DEY
LALGANESH
BATTALION GATE
GUWAHATI-34
DIST. KAMRUP (M)
ASSAM.

4: BIVA KALITA
C/O. DHIRAJ KAYSHAP
BHETAPARA
GUWAHATI-28
DIST. KAMRUP (M)
ASSAM.

5: LAKHESWARI LAGASU
C/O. HARFULLA BORO
PANJABARI BUS STOP (NEAR KAVERI ENTERPRISE)
GHY.-37
DIST. KAMRUP (M)
ASSAM.

6: JUNITA HAZARIKA

C/O. BAKUL HAZARIKA
VILL. HAIBARGAON
P.O. AND DIST. NAGAON
ASSAM.

7: MRS. RUPALI HAZARIKA

C/O. KUMUD BAISHYA
BHOKOT NATH PATH
SANTIPUR
GUWAHATI-09
DIST. KAMRUP (M)
ASSAM.

8: PAKIZA AHMED

C/O. ANISHUR RAHMAN
VILL. KENDUKONA
NEAR RAIL GATE
P.O. PUTHIMARI
DIST. KAMRUP (R)
ASSAM.

9: RUMI DEVI

C/O. DIPAK CHAKRABARTI
KAHILIPARA (NEAR JYOTI CHITRABAN)
GUWAHATI-19
DIST. KAMRUP (M)
ASSAM.

10: RITA DAS

C/O. JAYANTA DAS
AMINGAON
GUWAHATI-31
DIST. KAMRUP
ASSAM.

11: PRANITA TALUKDAR

C/O. KUMUD SINGHA CHUTIA
HOUSE NO.39
CHUNSALI BILPAR
NOON MATI
GUWAHATI-20
DIST. KAMRUP (M)
ASSAM.

12: MANJURANI RABHA

C/O. PRABHAT RABHA
ANUSUYA APARTMENT
LANKESWAR
JALUKBARI
GUWAHATI-14
DIST. KAMRUP (M)
ASSAM.

13: MALATI HALAI
C/O. DANDESWAR BARMAN
BISHNUPATH
HENGRABARI
GUWAHATI-36
DIST. KAMRUP (M)
ASSAM.

14: USHA DEVI
C/O. DINESH SHARMA
NORTH GUWAHATI
GUWAHATI-30
DIST. KAMRUP (M)
ASSAM.

15: BINITA SEMA SARANIA
C/O. MANASH SARANIAYA
KHARGHULI
MALIBAGAN
GUWAHATI-04
DIST. KAMRUP (M)
ASSAM.

16: REHANA SULTANA
C/O. AHIDUL ISLAM
PANJABARI
GUWAHATI-37
DIST. KAMRUP (M)
ASSAM.

17: JURI BARUA
C/O. KALYAN BARUA
GOTANAGAR
GOPALTHAN
GUWAHATI-11
DIST. KAMRUP (M)
ASSAM.

18: KANIKA DAS
C/O. LT. KRISHNA RAM DAS
KOWARITOL
NAGAON
P.O. AND DIST. NAGAON
ASSAM.

19: ALAKA CHAUDHURY

C/O. UTPAL TALUKDAR
NOON MATI
GUWAHATI-20
DIST. KAMRUP (M)
ASSAM.

20: KABITA SHARMA
C/O. LT. KRISHNA KANTA SHARMA
VILL. AND P.O. MIRZA
DIST. KAMRUP (R)
ASSAM.

21: BIBHA MALI
C/O. PALASH TALUKDAR
HOUSE NO.1
BYE NO.9
GURUKUL PATH
DR. ZAKIR HUSSAIN ROAD
SARUMOTORIA
GUWAHATI
DIST. KAMRUP (M)
ASSAM.

22: SARALA DAS
C/O. RANJAN KUMAR DAS
VILL. BIHDIA
P.O. CHAYAGAON
DIST. KAMRUP (R)
ASSAM.

23: JHAMA DAS

C/O. P.K. MEDHI
HOUSE NO.24
BIRUBARI
GUWAHATI
DIST. KAMRUP (M)
ASSAM.

24: BANALATA TALUKDAR
C/O. SAFIN AHMED
BHARALUMUKH
SANTIPUR
GUWAHATI-09
DIST. KAMRUP (M)
ASSAM.

25: BABITA DAS
C/O. LT. BIBHAV DAS
UZANBAZAR
BAROWARY
GUWAHATI-01
DIST. KAMRUP (M)
ASSAM.

26: TUNDRAWATI GOGOI
C/O. MANIK GOGOI
VILL. AND P.O. CHAPAKHOWA
DIST. TINISUKIA
ASSAM.

27: ANJEET KOUR
C/O. PRASANTA HAZARIKA
BATAHGULI
NEAR GANESH MANDIR
GHY.-37
DIST. KAMRUP (M)
ASSAM.

28: RITA DAS
C/O. RAMEN DAS
FATASIL AMBARI
BISHNU PATH
DHIRENPARA
GUWAHATI-25
DIST. KAMRUP (M)
ASSAM.

29: DULUMONI BORA
C/O. DHIRAY DAS
WARD HAIBARGAON
P.O. AND DIST. NAGAON
ASSAM.

30: DIPSHIKA KATAKY
C/O. AJOY KRISHNA DUTTA
WARD- GURMUR

JORHAT TOWN
P.O. AND DIST. JORHAT
ASSAM

VERSUS

1:THE UNION OF INDIA AND 3 ORS.
REP. BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY OF HUMAN
RESOURCE DEVELOPMENT DEPTT. OF WOMEN AND CHILD
DEVELOPMENT (CD SECTION), SHASTRI BHAVAN, NEW DELHI-110001.

2:THE STATE OF ASSAM
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM
SOCIAL WELFARE DEPTT.
DISPUR
GUWAHATI-06.

3:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM
THE ASSAM PUBLIC SERVICE COMMISSION
KHANAPARA
GUWAHATI-22.

4:THE DIRECTOR
DEPTT. OF SOCIAL WELFARE
ASSAM
UZAN BAZAR
GUWAHATI-01

Advocate for the Petitioner : MR. M ISLAM

Advocate for the Respondent : ASSTT.S.G.I.

BEFORE
HONOURABLE MR. JUSTICE N. KOTISWAR SINGH

ORDER

Date : 24-05-2019

Heard Mr. U.K. Nair, learned senior counsel assisted by Mr. M. Islam, learned counsel for the petitioners.

Issue notice returnable within three weeks.

Mr. D. Nath, learned Additional Senior Govt. Advocate accepts notice on behalf of the respondent Nos. 2 & 4.

Mr. S. S. Roy, learned Govt. Advocate accepts notice on behalf of the respondent No. 1.

Mr. C. Baruah, learned standing counsel accepts notice on behalf of the respondent No. 3.

The grievance is that though this Court had passed an order in WP(C) 23/2014, directing for maintenance of status quo as regards the recruitment to the post of CDPO, on the plea of the petitioners that 75 % posts are to be filled up by way of promotion, however, the authorities through executive instructions have reduced the percentage of promotion to 40%, thus, reducing the chance of promotion.

It has been stated that the said WP (C) No. 23/2014 will come up before this Court for final hearing in the next month.

Even if the authorities proceed with the present recruitment process, the result may not be given effect to without leave of this Court, till the next returnable date.

List the matter on **4.06.2019**.

JUDGE

Comparing Assistant