

GAHC010109792019



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

**Case No. : WP(C) 3228/2019**

1:SYEDA MISHALI NAZA  
D/O SYED ATIKUR RAHMAN, R/O AHMED APARTMENT, MILAN NAGAR-II,  
NEAR E.COM TOWER, VIP, P.O. GUWAHATI AIRPORT, DIST.-KAMRUP(M),  
ASSAM, PIN-781015

VERSUS

1:THE STATE OF ASSAM AND 3 ORS.  
REP. BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM, DISPUR,  
GUWAHATI-781006

2:THE ASSAM PUBLIC SERVICE COMMISSION  
REP. BY ITS CHAIRMAN JAWAHAR NAGAR  
GUWAHATI-781022

3:THE SECRETARY  
ASSAM PUBLIC SERVICE COMMISSION  
JAWAHAR NAGAR  
KHANAPAR-781022

4:THE PRINCIPAL CONTROLLER OF EXAMINATIONS  
ASSAM PUBLIC SERVICE COMMISSION  
JAWAHAR NAGAR  
KHANAPARA-781022

5:The Registrar  
Assam Agriculture University

Barbheta  
Jorhat  
Assam 785013

6:The Registrar  
Assam Science and Technology University

Tetelia Road  
near Assam Engineering College

Jalukbari  
Guwahati  
Assam 781013

7:The Registrar  
Srimanta Sankaradeva University of Health Sciences  
2nd Floor  
Gauhati Medical College Building

Gauhati Medical College Hill-Top Road

Narkashur Hilltop  
Bhangagarh

Guwahati  
Assam 781032

8:The Registrar  
Cotton University  
College Hostel Road Dutta Baruah Bhawan

Paanbazar Guwahati

Assam 781001

9:The Registrar  
Gauhati University  
NH37  
Gopinath Bordoloi Nagar

Jalukbari  
Guwahati

Assam 78101

**Advocate for the Petitioner** : MR. P MAHANTA  
**Advocate for the Respondent** : GA, ASSAM

Linked Case : WP(C) 3696/2019

1:ABHIJIT RAJKUMAR  
S/O CHANDRA MOHAN RAJKUMAR  
H/NO- 22(A)

SHIV-BARI LANE (LANE NO 07)P.O.- VIVEKANANDA ROAD  
SILCHAR  
DIST.-CACHAR  
STATE- ASSAM  
PIN-788007

VERSUS

1:THE STATE OF ASSAM AND 3 ORS.  
REP. BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM  
DISPUR  
GUWAHATI-781006

2:THE ASSAM PUBLIC SERVICE COMMISSION  
REP. BY ITS CHAIRMAN JAWAHARNAGAR  
KHANAPARA  
GUWAHATI-781022

3:THE SECRETARY  
THE ASSAM PUBLIC SERVICE COMMISSION  
JAWAHARNAGAR  
KHANAPARA  
781022

4:THE PRINCIPAL CONTROLLER OF EXAMINATION  
THE ASSAM PUBLIC SERVICE COMMISSION  
JAWAHARNAGAR  
KHANAPARA  
GUWAHATI-781022

Advocate for the Petitioner : MR. D DEKA  
Advocate for the Respondent : GA  
ASSAM

Linked Case : WP(C) 3344/2019

1:GIRBANI DEKA  
W/O- RANJAN ENGTI  
R/O- HNO. 54/37  
SEUJI PATH  
NEAR NABAGRAHA TEMPLE  
KHARGULI  
GHY- 03  
DIST- KAMRUP(M)  
ASSAM

VERSUS

1:THE STATE OF ASSAM AND 3 ORS  
REP. BY THE CHIEF SECRETARY TO THE GOVT OF ASSAM  
DISPUR  
GUWAHATI- 781006

2:THE APSC  
REP. BY ITS CHAIRMAN  
JAWAHAR NAGAR  
GUWAHATI- 781022

3:THE SECRETARY  
APSC  
JAWAHAR NAGAR  
KHANAPARA- 22

4:THE PRINCIPAL CONTROLLER OF EXAMINATIONS  
APSC  
JAWAHAR NAGAR  
KHANAPARA  
GUWAHATI- 781022

Advocate for the Petitioner : MR. P MAHANTA  
Advocate for the Respondent : GA  
ASSAM

Linked Case : WP(C) 3346/2019

1:ANGSHUMAN HAZARIKA  
S/O- KULA DHAR HAZARIKA  
R/O- H NO. 11  
CHANDMARI  
RAGHUNATH CHOUDHURY NAGAR  
NEAR HOLY CHILD SCHOOL  
P.O- SILPUKHURI  
PIN- 781003  
ASSAM

VERSUS

1:THE STATE OF ASSAM AND 3 ORS  
REP. BY THE CHIEF SECRETARY TO THE GOVT OF ASSAM  
DISPUR  
GUWAHATI- 781006

2:THE ASSAM PUBLIC SERVICE COMMISSION  
REP. BY ITS CHAIRMAN

JAWAHAR NAGAR  
GUWAHATI- 781022

3:THE SECRETARY  
APSC  
JAWAHAR NAGAR  
KHANAPARA- 781022

4:THE PRINCIPAL CONTROLLER OF EXAMINATIONS  
APSC  
JAWAHAR NAGAR  
KHANAPARA  
GUWAHATI- 781022

Advocate for the Petitioner : MR. P MAHANTA  
Advocate for the Respondent : GA  
ASSAM

Linked Case : WP(C) 3334/2019

1:ASHIM SAIKIA  
S/O- PRANAB KR SAIKIA  
R/O- H NO. 23  
NANDANPUR PATH  
OPP BHABENDALOY  
P.O- BELTOLA  
KAMRUP(M)  
ASSAM

VERSUS

1:THE STATE OF ASSAM AND 3 ORS  
REP. BY THE CHIEF SECRETARY TO THE GOVT OF ASSAM  
DISPUR  
GUWAHATI- 781006

2:THE ASSAM PUBLIC SERVICE COMMISSION  
REP. BY ITS CHAIRMAN  
JAWAHAR NAGAR  
GUWAHATI- 22

3:THE SECRETARY  
APSC  
JAWAHAR NAGAR  
KHANAPARA- 781022

4:THE PRINCIPAL CONTROLLER OF EXAMINATIONS  
APSC

JAWAHAR NAGAR  
KHANAPARA  
GUWAHATI- 781022

Advocate for the Petitioner : MR. P MAHANTA  
Advocate for the Respondent : GA  
ASSAM

Linked Case : WP(C) 3368/2019

1:NIVEDITA SAIKIA  
D/O- BANESWAR SAIKIA  
R/O- KUSHAL NAGAR  
SOUTH HAIBARGAON  
P.O- HAIBARGAON  
DIST- NAGAON  
PIN- 782002  
ASSAM

VERSUS

1:THE STATE OF ASSAM AND 3 ORS  
REP. BY THE CHIEF SECRETARY TO THE GOVT OF ASSAM  
DISPUR  
GUWAHATI- 781006

2:THE ASSAM PUBLIC SERVICE COMMISSION  
REP. BY ITS CHAIRMAN  
JAWAHAR NAGAR  
GUWAHATI- 781022

3:THE SECRETARY  
APSC  
JAWAHAR NAGAR  
KHANAPARA- 781022

4:THE PRINCIPAL CONTROLLER OF EXAMINATIONS  
APSC  
JAWAHAR NAGAR  
KHANAPARA  
GUWAHATI- 781022

Advocate for the Petitioner : MR. P MAHANTA  
Advocate for the Respondent : GA  
ASSAM

Linked Case : WP(C) 3364/2019

1:JYOTISHA SAIKIA  
DAUGHTER OF LATE GOJEN SAIKIA  
RESIDENT OF HOUSE NO. 44  
CHANDMARI COLONY  
P.O. CHANDMARI  
PIN- 781003  
DISTRICT- KAMRUP(M)  
ASSAM.

VERSUS

1:THE STATE OF ASSAM AND 3 ORS.  
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF  
ASSAM  
DISPUR  
GUWAHATI- 781006.

2:THE ASSAM PUBLIC SERVICE COMMISSION  
REPRESENTED BY ITS CHAIRMAN  
JAWAHAR NAGAR  
GUWAHATI- 781022.

3:THE SECRETARY  
ASSAM PUBLIC SERVICE COMMISSION  
JAWAHAR NAGAR  
KHANAPARA- 781022.

4:THE PRINCIPAL CONTROLLER OF EXAMINATIONS  
ASSAM PUBLIC SERVICE COMMISSION  
JAWAHAR NAGAR  
KHANAPARA  
GUWAHATI- 781022.

Advocate for the Petitioner : MR. P MAHANTA  
Advocate for the Respondent : GA  
ASSAM

Linked Case : WP(C) 3377/2019

1:NAVIN KUMAR RAY  
S/O- RAM UDGAR RAY  
R/O- VILL- AGBANDHA SAIDING  
P.S. MARGHERITA  
P.O. AGBANDHA SAIDING  
DIST- TINSUKIA  
PIN- 786187

ASSAM

VERSUS

1:THE STATE OF ASSAM AND 3 ORS.  
REP. BY THE CHIEF SECY. TO THE GOVT. OF ASSAM  
DISPUR  
GHY-6

2:THE ASSAM PUBLIC SERVICE COMMISSION  
REP. BY ITS CHAIRMAN  
JAWAHAR NAGAR  
GHY-22

3:THE SECRETARY  
ASSAM PUBLIC SERVICE COMMISSION  
JAWAHAR NAGAR  
KHANAPARA- 781022

4:THE PRINCIPAL CONTROLLER OF EXAMINATIONS  
ASSAM PUBLIC SERVICE COMMISSION  
JAWAHAR NAGAR  
KHANAPARA  
GHY-781022

Advocate for the Petitioner : MR. P MAHANTA  
Advocate for the Respondent : GA  
ASSAM

Linked Case : WP(C) 3348/2019

1:PANKAJ CHETRY  
S/O- DHAN BAHADUR CHETRY  
R/O- NS AREA PLOT X-55  
P.O- DIGBOI  
DIST- TINSUKIA  
PIN- 786171  
ASSAM

VERSUS

1:THE STATE OF ASSAM AND 3 ORS  
REP. BY THE CHIEF SECRETARY TO THE GOVT OF ASSAM  
DISPUR  
GUWAHATI- 781006

2:THE ASSAM PUBLIC SERVICE COMMISSION  
REP. BY ITS CHAIRMAN



JAWAHAR NAGAR  
GUWAHATI- 781022

3:THE SECRETARY  
APSC  
JAWAHAR NAGAR  
KHANAPARA- 781022

4:THE PRINCIPAL CONTROLLER OF EXAMINATIONS  
APSC  
JAWAHAR NAGAR  
KHANAPARA  
GUWAHATI- 781022

Advocate for the Petitioner : MR. P MAHANTA  
Advocate for the Respondent : GA  
ASSAM

Linked Case : WP(C) 3595/2019

1:MOKLESUR RAHMAN  
S/O- LUFTOR RAHMAN  
R/O- COLLEGE ROAD  
MATHPARA BYLANE  
P.O. KHALILPUR  
DIST- DHUBRI  
PIN- 783325  
ASSAM

VERSUS

1:THE STATE OF ASSAM AND 3 ORS.  
REP. BY THE CHIEF SECY. TO THE GOVT. OF ASSAM  
DISPUR  
GHY-6

2:THE ASSAM PUBLIC SERVICE COMMISSION  
REP. BY ITS CHAIRMAN  
JAWAHAR NAGAR  
GHY-22

3:THE SECRETARY  
ASSAM PUBLIC SERVICE COMMISSION  
JAWAHAR NAGAR  
KHANAPARA- 781022

4:THE PRINCIPAL  
CONTROLLER OF EXAMINATIONS

ASSAM PUBLIC SERVICE COMMISSION  
JAWAHAR NAGAR  
KHANAPARA  
GHY-22

Advocate for the Petitioner : MR. R B GOHAIN  
Advocate for the Respondent : GA  
ASSAM

Linked Case : WP(C) 3319/2019

1:PULAK DEKA  
S/O- LT PRAFULLA DEKA  
R/O- VILL- PATRAPUR  
P.O. KENDUA  
P.S. BAIHATA CHARIALI  
PIN- 781121  
DIST- KAMRUP  
ASSAM

VERSUS

1:ASSAM PUBLIC SERVICE COMMISSION AND 4 ORS.  
JAWAHAR NAGAR  
KHANAPARA  
GHY-22  
REP. BY ITS CHAIRMAN

2:THE CHAIRMAN  
ASSAM PUBLIC SERVICE COMMISSION  
JAWAHAR NAGAR  
KHANAPARA  
GHY-22

3:THE SECRETARY  
ASSAM PUBLIC SERVICE COMMISSION  
JAWAHAR NAGAR  
KHANAPARA  
GHY-22  
REP. BY ITS CHAIRMAN

4:THE PRINCIPAL CONTROLLER OF EXAMINATION  
ASSAM PUBLIC SERVICE COMMISSION  
JAWAHAR NAGAR  
KHANAPARA  
GHY-22

5:THE CONTROLLER OF EXAMINATIONS

ASSAM PUBLIC SERVICE COMMISSION  
JAWAHAR NAGAR  
KHANAPARA  
GHY-22

Advocate for the Petitioner : MR. D GOSWAMI  
Advocate for the Respondent : SC  
APSC

Linked Case : WP(C) 3341/2019

1:SHALINI KHAN  
D/O- SRI ROBIN KHAN  
R/O- H NO. 120A  
HONURAM BORO PATH  
WALFORD KACHARI BASTI  
GUWAHATI- 781005  
DIST- KAMRUP(M)  
ASSAM

VERSUS

1:THE STATE OF ASSAM AND 3 ORS  
REP. BY THE CHIEF SECRETARY TO THE GOVT OF ASSAM  
DISPUR  
GUWAHATI- 781006

2:THE ASSAM PUBLIC SERVICE COMMISSION  
REP. BY ITS CHAIRMAN  
JAWAHAR NAGAR  
GHY- 22

3:THE SECRETARY  
APSC  
JAWAHAR NAGAR  
KHANAPARA- 22

4:THE PRINCIPAL CONTROLLER OF EXAMINATIONS  
APSC  
JAWAHAR NAGAR  
KHANAPARA  
GUWAHATI- 22

Advocate for the Petitioner : MR. P MAHANTA  
Advocate for the Respondent : GA  
ASSAM

**BEFORE  
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK**

**ORDER**

**Date : 20-02-2020**

Heard Mr. N. Dutta, learned *Amicus Curiae*, assisted by Ms. A. Borgohain and Mr. P. Mahanta, learned counsel for the petitioners. Also heard Dr. R. C. Borpatragohain, learned Advocate General of the State, Mr. C. Baruah, learned Standing Counsel, APSC for the respondent Nos. 2 to 4, Mr. P. D. Nair, learned Standing Counsel, Cotton University for the respondent No. 8 and Mr. P. J. Phukan, learned Standing Counsel, Gauhati University for the respondent No. 9.

Submissions of the parties are heard at length.

After hearing the parties, the respondent APSC is directed to file an additional affidavit in the matter by 28.02.2020, indicating those 98 candidates, who ought not to have passed the preliminary examination, pursuant to the advertisement dated 17.05.2018, even on the basis of the second answer key and the list of those 68 candidates, out of such 98 candidates, who have appeared in the main examination. List of those 98 and 68 candidates shall be given with due authentication/signature of the authority concerned of APSC in a sealed cover.

List these matters on **02.03.2020**.

Copies of this order be furnished to Mr. C. Baruah, learned Standing Counsel, APSC and to Mr. N. Dutta, learned *Amicus Curiae* for their necessary use.

**JUDGE**

**Comparing Assistant**