

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
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

02-03-2020

Heard Mr. N. Dutta, learned Amicus Curiae. Also heard Mr. K.N. Choudhury, learned Senior counsel assisted by Mr. P. Mahanta, learned counsel for the petitioners, Dr. R. C. Borpatroghain, learned Advocate General of the State, Mr. R. K. Dev Choudhury, learned Senior Government Advocate, Assam and Mr. C. Baruah, learned Standing counsel, APSC.

Pursuant to the order dated 20.02.2020, the respondent APSC has filed its affidavit in

these matters on 28.02.2020 and provided the Roll Numbers and the names of the 98 candidates in a sealed cover, who ought not to have passed the Preliminary Examination pursuant to the advertisement dated 17.05.2018 after reviewing the answer script involved in these cases, out of which 68 such candidates has already appeared in the Combine Competitive (Main) Examination in terms of the said advertisement dated 17.05.2018.

By order dated 23.10.2019, this Court already observed that the respondent APSC shall not declare the result of said Combined Competitive (Main) Examination pursuant to its advertisement dated 17.05.2018, without the leave of the Court.

Hence, the respondent APSC shall do the needful in terms of the said order dated 23.10.2019, noted above.

JUDGE

Comparing Assistant