

GAHC010086442020



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

Case No. : 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 : I.A.(Civil) 1364/2020

1:THE ASSAM PUBLIC SERVICE COMMISSION AND 2 ORS
REP. BY THE CHAIRMAN
JAWAHAR NAGAR
GHY-781022

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

3: THE PRINCIPAL CONTROLLER OF EXAMINATIONS

ASSAM PUBLIC SERVICE COMMISSION
JAWAHAR NAGAR KHANAPARA-781022
VERSUS

1:THE STATE OF ASSAM AND 17 ORS.
REP. BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
DISPUR GUWAHATI-781006

2:The Registrar
Assam Agriculture University
Barbheta Jorhat
Assam 785013

3:The Registrar
Assam Science and Technology University
Tetelia Road near Assam Engineering College
Jalukbari Guwahati
Assam 781013

4: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

5:The Registrar
Cotton University College Hostel Road Dutta Baruah Bhawan
Paanbazar Guwahati
Assam 781001

6:The Registrar
Gauhati University NH37
Gopinath Bordoloi Nagar
Jalukbari
Guwahati
Assam 781014

7: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

8:PULAK DEKA
S/O- LATE PRAFULLA DEKA
R/O VILL- PATRAPUR
PO-KENDUA
PS- BAIHATA CHARIALI
DIST- KAMRUP
ASSAM
781121

9:ASHIM SAIKIA
S/O- PRANAB KR SAIKIA
R/O- H NO-23
NANDANPUR PATH
OPP BHABENDALOY
PO- BELTOLA
DIST- KAMRUP(M)
ASSAM
GHY-6

10:SHALINI KHAN
D/O- ROBIN KHAN
RESIDENT- H NO-120A
HONURAM BORO PATH
WALFORD
KACHARI BASTI
GHY- 781005

11:GIRBANI DEKA
W/O- RANJAN ENGTI
R/O- H NO 54/37
SEUJI PATH
NEAR NABAGRAHA TEMPLE
KHARGHULI
DIST- KAMRUP(M)
GHY-3

12:ANGSHUMAN HAZARIKA
SON OF KULADHAR HAZARIKA
R/O H NO-11
CHANDMARI
RAGHUNATH CHOUDHURI NAGAR
NEAR HOLY CHILD SCHOOL
PO- SILPUKHURI
DIST- KAMRUP(M)
ASSAM PIN- 781003

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

14:JYOTISHA SAIKIA
D/O- LT GOJEN SAIKIA
R/O- H NO-44
CHANDMARI COLONY
PO- CHANDMARI
DIST-KAMRUP(M)
ASSAM
PIN-781003

15:NIVEDITA SAIKIA
D/O- BANESWAR SAIKIA
R/O- KUSHAL NAGAR
SOUTH HAIBORGAON
PO- HAIBORGAON
DIST- NAGAON
ASSAM
PIN- 782002

16:NAVIN KR RAY
S/O- RAM UDGAR RAY
R/O VILL AND PO- AGBANDHA SAIDANG
PS- MARGHERITA
DIST- TINSUKIA
ASSAM
PIN- 786187

17:MOKLESUR RAHMAN
S/O- LUTFUR RAHMAN
R/O- COLLEGE ROAD
MATHPARA BYLANE
PO- KAHILLPUR
DIST- DHUBRI
ASSAM
PIN-783325

18:ABHIJIT RAJKUMAR
S/O- CHANDRA MOHAN RAJKUMAR
R/O- H NO-22(A)
SHIV BARI LANE(LANE NO-7)
PO- VIVEKANANDA ROAD

SILCHAR
DIST- CACHAR
ASSAM
PIN-788007

Advocate for the Petitioner : MR. T J MAHANTA
Advocate for the Respondent : GA
ASSAM

Linked Case : 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 781014

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 : 15-09-2020

Heard Mr. K N Choudhury, learned Senior counsel assisted by Mr. P Mahanta, learned counsel for the petitioners in WP(C) Nos. 3228, 3334, 3341, 3344, 3346, 3348, 3364, 3368, 3377 of 2019, Mr. D Goswami, learned counsel for the petitioner in WP(C) No. 3319/2019, Mr. R B Gohain, learned counsel for the petitioner in WP(C) No. 3595/2019 and Mr. M A Choudhury, learned counsel for the petitioner in WP(C) No. 3696/2019. Also heard Mr. T J Mahanta, learned Senior counsel assisted by Mr. P P Dutta, learned counsel for the respondent APSC and Mr. N Dutta, learned Senior counsel and the Amicus Curiae in these cases.

Registry shall furnish the results submitted by the respondent APSC in terms of the order dated 02.03.2020 to Mr. N Dutta, learned Amicus Curiae for his necessary perusal and submission.

List this matter on **23.09.2020**.

JUDGE

Comparing Assistant