

GAHC010010692024



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

Case No. : WP(C)/687/2024

BHAIRAB DEORI
SON OF SRI PUNESWAR DEORI, RESIDENT OF VILLAGE- KAHIGURI,
POSTOFFICE- GANDHIBORI, POLICE STATION- RAHA, DISTRICT-
NAGAON, ASSAM, PIN- 782103

VERSUS

THE UNION OF INDIA AND 7 ORS
REPRESENTED BY THE SECRETARY, MINISTRY OF SOCIAL JUSTICE AND
EMPOWERMENT, GOVERNMENT OF INDIA, SHASTRI BHAWAN, NEW
DELHI, DELHI- 110001

2:THE STATE OF ASSAM
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT
OF ASSAM
PERSONNEL DEPARTMENT
DISPUR
JANATA BHAWAN
GUWAHATI-6

3:THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM
DEPARTMENT OF SOCIAL JUSTICE AND EMPOWERMENT
DISPUR
JANATA BHAWAN
GUWAHATI-6

4:THE DIRECTOR
EMPLOYMENT AND CRAFTSMEN TRAINING
ASSAM
REHABARI
GUWAHATI-08

5:THE STATE LEVEL RECRUITMENT COMMISSION FOR CLASS-III POSTS
REPRESENTED BY ITS CHAIRMAN/SECRETARY
ASSAM ADMINISTRATIVE STAFF COLLEGE
JAWAHARNAGAR
KHANAPARA
GUWAHATI-22

6:THE SECRETARY TO THE GOVT. OF ASSAM
MEDICAL EDUCATION AND RESEARCH DEPARTMENT
DISPUR
GUWAHATI-6

7:THE JOINT DIRECTOR OF HEALTH SERVICES
NAGAON
DISTRICT- NAGAON
ASSAM
PIN- 782001

8:THE MEDICAL BOARD
GAUHATI MEDICAL COLLEGE AND HOSPITAL
GUWAHATI-32
ASSA

Advocate for the Petitioner : MR. S K ROY

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

BEFORE
HON'BLE MR. JUSTICE LANUSUNGKUM JAMIR
ORDER

16.02.2024

Heard Mr. S. K. Roy, learned counsel for the petitioner. Also heard Mr. C.K.S. Baruah, learned CGC for the respondent No.1; Mr. D. Bora, learned Govt. Advocate, Assam for the respondent Nos.2 and 4; Mr. C. Sharma, learned standing counsel, Social Justice & Empowerment Department for the respondent No.3; Mr. B. Choudhury, learned standing counsel, SLRC for the respondent No.5 and Mr. D. P. Borah, learned Standing Counsel, Health Department, Government of Assam for respondent Nos. 6, 7 and 8.

2. The petitioner is holding a Disability Certificate issued by the Competent Authority under the Department of Social Justice and Empowerment, Government of India indicating the degree and nature of his disability. According to the certificate, the petitioner meets the bench mark disability with 50% disablement thus making him eligible to seek Government employment as a candidate belonging to the Persons with disability (PwD) category.

3. Pursuant to an Advertisement which was published on 25.03.2022, issued by the Secretary, State Level Recruitment Commission for Class-III posts, the petitioner applied for a Grade-III post under the PwD category. The petitioner participated in the recruitment process and was selected under the Skill, Employment and Entrepreneurship Department. Thereafter, by a notice which was published on 12.05.2023, petitioner was directed to appear before the Medical Board at the Gauhati Medical College & Hospital for necessary medical examination. The petitioner accordingly appeared before the Medical Board on the date fixed as directed by the notice which was published on 12.05.2023.

4. Grievance of the petitioner before this Court is that the result of the medical examination which was held pursuant to the notice which was published on 12.05.2023 is yet to be disclosed to the petitioner.

5. Considering the short question involved, this writ petition is disposed of directing the concerned respondents to communicate the decision of the Medical Board to the petitioner against the post applied by him within a period of 3(three) weeks from the date of receipt of a certified copy of this order. Liberty is also granted to the petitioner to assail the decision of the Medical Board and/or Department of Social Justice and Empowerment by filing a fresh writ petition, if so advised.

6. With the above observations and directions, writ petition stands disposed of.

JUDGE

Comparing Assistant