

GAHC010186982021



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

**Case No. : WA/323/2021**

KRISHNA HANDIQUE AND 102 ORS  
S/O- BIREN HANDIQUE  
VILLAGE- MECHAGARH  
P.O- MECHAGARH  
P.S- NAZIRA  
DISTRICT- SIVASAGAR, ASSAM.

2: BISWAJIT GOGOI  
S/O- MONIRAM GOGOI  
VILLAGE- NA-HAT  
P.O- NA-HAT  
P.S- DEMOW  
DISTRICT- SIVASAGAR  
ASSAM.

3: KAKU KUMAR DUTTA  
S/O- THUKHESWAR DUTTA  
VILLAGE- MICHAJAN  
P.O- MICHAJAN  
P.S- NAMTI  
DISTRICT- SIVASAGAR  
ASSAM.

4: RUPJYOTI CHETIA  
D/O DULAL CHETIA  
VILLAGE- HARIKINAR  
P.O- HATIPATTY  
P.S- GELEKY  
DISTRICT- SIVASAGAR  
ASSAM.

5: SANTANU GOGOI  
S/O- NOREN GOGOI  
VILLAGE- VIAMARI

P.O- PALENGI  
P.S- DEMOW  
DISTRICT- SIVASAGAER  
ASSAM.

6: PINKI BORGOHAIN  
D/O- KAMAL BORGOHAIN  
VILLAGE- GOHAIN GAON  
P.O- KAIBATARDOLONE  
P.S- DEMOW  
DISTRICT- SIVASAGAR  
ASSAM.

7: RUMI GOGOI  
D/O- SUNESWAR GOGOI  
VILLAGE- TAMULI PUKHURI  
P.O- MITHAPUKHURI  
P.S- SIBASAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

8: MRIDUL LEKHARU  
S/O- ROHINI LEKHARU  
VILLAGE- TIFUK KACHARI  
P.O- DOBA TINIALI  
P.S- MORANHAT  
DISTRICT- SIVASAGAR  
ASSAM.

9: MOON KONWAR BORAH  
D/O- DIPAK BORAH  
VILLAGE- CHEREKAPAR CHANGMAI GAON  
P.O- CHEREKAPAR  
P.S- SIBASAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

10: NITU DOLEY  
D/O- TRIDIP DOLEY  
VILLAGE- WEST JAMUNAROAD  
P.S AND P.O- SIVASAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

11: PARAG DAS  
S/O- INDRA DAS  
VILLAGE- KONWARPUR SENSUWA  
P.O- CHAULKARA

P.S. SIVASAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

12: DEEPJYOTI DAS  
S/O- NANDI RAM DAS  
VILLAGE- PATHALIAL KOIBARTTA GAON  
P.O- PATSAKU  
P.S- BAKATA NEMUGURI  
DISTRICT- SIVASAGAR  
ASSAM.

13: LAKHI NATH DAS  
S/O- PRAFULLA DAS  
VILLAGE- BOKATA LAKHMONI  
P.O- PATSAKU  
P.S- BOKOTA NEMUGURI  
DISTRICT- SIVASAGAR  
ASSAM.

14: RUPJYOTI KONWAR  
S/O- PUNYA PONWAR  
VILLAGE- MADURI MOLAGAON  
P.O- MADURI  
P.S- NAZIRA  
DISTRICT- SIVASAGAR  
ASSAM.

15: PARTHAJIT POGOI  
S/O- GULUK CH. GOGOI  
VILLAGE- CHANGMAI GAON  
P.O- CHEREKAPAR  
P.S- SIVASAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

16: SANJIB GOGOI  
S/O- BHARAT GOGOI  
VILLAGE- LALIMGAON  
P.O- CHEREKAPAR  
P.S- SIVSAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

17: BIDYA BORAH  
S/O- NOBIN BORAH  
VILLAGE- LEFERA GAON  
P.O- SILASAKU

P.S - SIMALUGURI  
DISTRICT- SIVASAGAR  
ASSAM.

18: BIDYUT BIKASH BORAH  
S/O- ARUN BORAH  
VILLAGE- HAHCHARA MONIPURIA GAON  
P.O- HAHCHARA KUJIBAL  
P.S - SIVASAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

19: SARIFUL HUSSAIN  
S/O- SK. MOHIBUL HUSSAIN  
VILLAGE- BORUAH CHUCK  
P.O- KONWARPUR  
P.S- SIVASAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

20: GAKUL ARANDHARA  
S/O-UPEN ARANDHARA  
VILLAGE AND P.O- MAJBARI  
P.S- HALUWATING  
DISTRICT- SIVASAGAR  
ASSAM.

21: AKIBUDDIN AHMED  
S/O- MUHIRATDDIN AHMED  
VILLAGE- KARDOIGURI  
P.O- SUKANPUKHURI  
P.S- SIVASAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

22: ANKUR CHETIA  
S/O- RADHA CHETIA  
VILLAGE- JABALATING  
P.O- BAKHARBENGANA  
P.S- NEMUGURI  
DISTRICT- SIVASAGAR  
ASSAM.

23: ANKITA BORUAH  
D/O- HOREN BORUAH  
VILLAGE- BOKOTA NAGAON  
P.O- HOLOGURI  
P.S- NEMUGURI

DISTRICT- SIVASAGAR  
ASSAM.

24: MANASHJYOTI KONWAR  
S/O- BIPIN KONWAR  
VILLAGE- KUJIBALI KONWAR GAON  
P.O- HANCHARA LAKHMONI  
P.S- BOKOTA NEMUGURI  
DISTRICT SIVASAGAR  
ASSAM.

25: ROMAN BORGOHAIN  
S/O- DILIP BORGOHAIN  
VILLAGE- MECHAGARH GOHAIN  
P.O- MECHAGARH  
P.O- NAZIRA  
DISTRICT- SIVASAGAR  
ASSAM.

26: DIPAMONI CHANGMAI  
D/O- PITAMBAR CHANGMAI  
VILLAGE- BUKANAGAR  
P.O- HATICHARA KUJIBALI  
P.S- SIVASAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

27: MITALI SADHANIDAR  
D/O- LATE- PADMESHWAR SADHANIDAR  
VILLAGE- GUWAL GAON  
P.O- DIKHOMUKH  
P.S- GAURISAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

28: POPIMONI DAS  
D/O- LATE- PURNA DAS  
VILLAGE- NAMDANG  
P.O AND P.S- GAURISAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

29: SANGITA MARAR  
D/O- SURAJ KR. MARAR  
VILLAGE- KETEKIBARI  
P.O- MEZENGA  
P.S- NAZIRA  
DISTRICT- SIVASAGAR

ASSAM.

30: RASMI REKHA GOGOI  
D/O- INDRESWAR GOGOI  
VILLAGE- NAGALAMARA AHOM GAON  
P.O AND P.S- NAGALAMARA  
DISTRICT- SIVASAGAR  
ASSAM.

31: SEWALI PEGU  
D/O- PHUKAN PEGU  
VILLAGE- DEOGHARIA  
P.O- RANGALI  
P.S- KAKATIBARI  
DISTRICT- SIVASAGAR  
ASSAM.

32: KOUSTOVE MAHANTA  
S/O- INDRA MAHANTA  
VILLAGE- DEOPANI  
P.O- DEOPANI  
P.S- GELEKEY  
DISTRICT- SIVASAGAR  
ASSAM.

33: JITU GOGOI  
S/O-MILON GOGOI  
VILLAGE- MAJUMELIA  
P.O- PHULPANI CHIGA  
P.S- GAURISAGAE  
DISTRICT- SIVASAGAR  
ASSAM.

34: SATYAJIT BORAH  
S/O- MITHARAM BORAH  
VILLAGE- OUTOLA MAJGAON  
P.S AND P.O- DEMOW  
DISTRICT- SIVASAGAR ASSAM.

35: BISWAJIT GOGOI  
S/O- PARAMANANDA GOGOI  
VILLAGE- JATAKIA  
P.O- JATAKIA  
P.S- SIBASAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

36: SIMANTA SAIKIA

S/O- DANDIRAM SAIKIA  
VILLAGE- KASHIBARI  
P.O- BARHOITING  
P.S- GAURISAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

37: PRONAB CHETIA  
S/O-LATE -PUMESWAR CHETIA  
VILLAGE- NO-PAM CHETIA  
P.S- SINGHADUAR  
P.O- SIBASAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

38: ANIL KALITA  
S/O- RUDRA KALITA  
VILLAGE- NAMDANG  
P.S AND P.O- GAURISAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

39: BISWAJIT GOGOI  
S/O- SUNIL GOGOI  
VILLAGE- HANDIANE GAON  
P.O- CHAMUA KHANIKOR  
P.S- GAURISAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

40: ARABINDRA HATIMURIA  
S/O- PADMA HATIMURIA  
VILLAGE- AIDEOBARI  
P.O- DEOGHARIA  
P.S- GELEKY  
DISTRICT- SIVASAGAR  
ASSAM.

41: PARTHAJYOTI GOGOI  
S/O- DILIP GOGOI  
VILLAGE- BAMWATI  
P.O- CHARING  
P.S- GAURISAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

42: JATIN BORUAH  
S/O- DIMBA BORUAH

VILLAGE- DEWDUBI  
P.O- NA-HAT  
P.S- DEMOW  
DISTRICT- SIVASAGAR  
ASSAM.

43: JUN GOGOI  
S/O- JITEN GOGOI  
VILLAGE- NAMTI  
P.O- NAMTI  
P.S-NAZIRA  
DISTRICT- SIVASAGAR  
ASSAM.

44: AJIT BORAH  
S/O- TARUN BORAH  
VILLAGE- PURANI MELIA  
P.O- PHULPANICHIGA  
P.S- GAURISAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

45: MAKHAN HAZARIKA  
S/O- MOHAN HAZARIKA  
VILLAGE- BOKOTA KHAMUN  
P.O- KIHAMUN  
P.S- BOKOTA  
DISTRICT- SIVASAGAR  
ASSAM.

46: KIRON CHANGMAI  
S/O- SUREN CHANGMAI  
VILLAGE- BOKPARA  
P.O- NETAI  
P.S- DEMOW  
DISTRICT- SIVASAGAR  
ASSAM.

47: NITYANANDA NEOG  
S/O- RAMEN NEOG  
VILLAGE- BETBARI DAWGAON  
P.O- MITHAPUKHURI  
P.S- SIVASAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

48: RINTU GOGOI  
S/O- SATANYA GOGOI

VILLAGE- SADHANI CHUCK  
P.O- DIHING MUKH  
P.S- DEMOW  
DISTRICT- SIVASAGAR  
ASSAM.

49: DENISH BURAGOHAIN  
S/O- ARUN BURAGOHAIN  
VILLAGE- SOLADHARA  
P.O- SILASAKU  
P.S- SIMALUGURI  
DISTRICT- SIVASAGAR  
ASSAM.

50: PAPU KHANIKAR  
S/O- PRABIN KHANIKAR  
VILLAGE- NA-PAM  
P.O- CHARIN  
P.S- GAURISAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

51: PRASANTA KALITA  
S/O- PUWAL KALITA  
VILLAGE AND P.O- SARAGUWA  
P.S- DEMOW  
DISTRICT- SIVASAGAR  
ASSAM.

52: BIDYUT RANJAN KONWAR  
S/O- BAIDANATH KONWAR  
VILLAGE- RAISAI  
P.O AND P.S- DEMOW  
DISTRICT- SIVASAGAR  
ASSAM.

53: RAKESH JULLAH  
S/O- PONESH JULLA  
VILLAGE- BOKABIL  
P.O- MITHAPUKHURI  
P.S- SIVASAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

54: PHANIDHAR BORAH  
S/O- AKHOTI BORAH  
VILLAGE- BETBARI JULIA GAON  
P.O- MITHAPUKHURI

P.S- SIBASAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

55: ARJUN GOGOI  
S/O- PUTUL GOGOI  
VILLAGE- NABIL  
P.O- UDOIPUR  
P.S- DEMOW  
DISTRICT- SIVASAGAR  
ASSAM.

56: UMESH KONWAR  
S/O- TRAILUKYA KONWAR  
VILLAGE- GAJALI  
P.O- RAJMAI  
P.S- DEMOW  
DISTRICT- SIVASAGAR  
ASSAM.

57: PRANAB PHUKAN  
S/O- KAMAL PHUKAN  
VILLAGE AND P.O- SARAGUWA  
P.S- DEMOW  
DISTRICT- SIVASAGAR  
ASSAM.

58: DEEPJYOTI CHETIA  
S/O-BENUDHAR CHETIA  
VILLAGE- SANTAK BOGDOI  
P.O- SONTAK  
P.S- SIMALUGURI  
DISTRICT- SIVASAGAR  
ASSAM.

59: SURAJ GOGOI  
S/O- GUNARAM GOGOI  
VILLAGE- DALAMIA  
P.O- PHULPANICHIGA  
P.S- GAURISAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

60: JOYYOTI LAHAN  
S/O- TUBURAM LAHON  
VILLAGE- BORAKHOWA LAHAN  
P.O- JATAKIA  
P.S- NAZIRA

DISTRICT- SIVASAGAR  
ASSAM.

61: SUNIL GOGOI  
S/O- DHIREN GOGOI  
VILLAGE AND P.O- PIOLIPHUKJON  
P.S- GELEKY  
DISTRICT-SIVASAGAR  
ASSAM.

62: LILAMBOR GOGOI  
S/O- PHULESWAR GOGOI  
VILLAGE- CHAULKORA  
P.O- DEKHARIKINAR  
P.S- SIBASAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

63: PRONO BORGOHAIN  
S/O-GONESH BORGOHAIN  
VILLAGE- BAHUABARI  
P.O- BAM RAJABARI  
P.S- DEMOW  
DISTRICT- SIVASAGAR  
ASSAM.

64: LAKHI BHARULUWA  
S/O KOKOI BHARALUWA  
VILLAGE- BAKATA MOIM CHUCK  
P.O- BAKATA  
P.S- BAKATA NEMUGURI  
DISTRICT- SIVASAGAR  
ASSAM.

65: PRONAB GOGOI  
S/O- JUGESWAR GOGOI  
VILLAGE- HATIKINAR  
P.O- PEOLI PHOKAN  
P.S- GELEKY  
DISTRICT- SIVASAGAR  
ASSAM.

66: MADHAV CHETIA  
S/O- PURNANDA CHETIA  
VILLAGE- HENA ALI  
P.O- BAULIMAIDAN  
P.S- NAZIRA  
DISTRICT- SIVASAGAR

ASSAM.

67: MOHAN SINGH GHAR  
S/O- MOHUHAR GHAR  
VILLAGE AND P.O- HATIPOTI  
P.S- GELEKY  
DISTRICT- SIVASAGAR  
ASSAM.

68: MANURANJAN GOGOI  
S/O- GHANA KANTA GOGOI  
VILLAGE -NO.2 HALAGARI  
P.O- MOUDUMUNI  
P.S- MORANHAT  
DISTRICT- SIVASAGAR  
ASSAM.

69: DEBAJIT BARMAN  
S/O- ANIL BARMAN  
VILLAGE- BHARALUWA  
P.O- DIKHOMUKH  
P.S- GAURISAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

70: JAYANTA DEORI  
S/O- LATE -LAKHIMBAR DEORI  
VILLAGE- KATIHARI  
P.O- BAM RAJABARI  
P.S- DEMOW  
DISTRICT- SIVASAGAR  
ASSAM.

71: BINOD BORUAH  
S/O- LOLIT BORUAH  
VILLAGE- BOGORIGURI LIKSON  
P.O- RAMANIALI  
P.S- SIMANALUGURI  
DISTRICT- SIVASAGAR  
ASSAM.

72: SIMANTA GOGOI  
S/O- RADMA GOGOI  
VILLAGE- BOGARIGURI LUNPURIA  
P.O- RAMANIALI  
P.S- SIMALUGURI  
DISTRICT- SIVASAGAR  
ASSAM.

73: SAILEN CHUTIA  
S/O- DURGA CHUTIA  
VILLAGE AND P.O- BOGIDOLE  
P.S- SIBASAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

74: BULI BORUAH  
D/O- HEMA BORUAH  
VILLAGE- NAHARTOLI  
P.O- KHALOIGHOGRA  
P.S- MORANHAT  
DISTRICT- SIVASAGAR  
ASSAM.

75: MINTU GOGOI  
S/O- UMA KANTA GOGOI  
VILLAGE- BORALI PUKHURI  
P.O- SENSUWA  
P.S- HALUWATING  
DISTRICT- SIVASAGAR  
ASSAM.

76: PRASANTA GOGOI  
S/O- NEREN GOGOI  
VILLAGE- PATARGAON BORUA ALI  
P.O AND P.S- HALUWATING  
DISTRICT- SIVASAGAR  
ASSAM.

77: NITUL GOGOI  
S/O- NITYANANDA GOGOI  
VILLAGE- NABIL  
P.O- UDAIPUR  
P.S- DEMOW  
DISTRICT- SIVASAGAR  
ASSAM.

78: MRIDUL BORUAH  
S/O- BISWAJIT BORUAH  
VILLAGE- NO.1 AHOM GAON  
P.O- SINGIBIL  
P.S- GELEY  
DISTRICT- SIVASAGAR  
ASSAM.

79: MONJIT HANDIQUE

S/O- NOREN HANDIQUE  
VILLAGE AND P.O- DEGHOLIA  
P.S- BORBORUAH  
DISTRICT- SIVASAGAR  
ASSAM.

80: AMARJYOTI BORUAH  
S/O- PHONINDRA BORUAH  
VILLAGE- MAJUMALIA  
P.O- PHULPANICHIGS  
P.S- GAURISAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

81: DHRUBAJYOTI PHUKAN  
S/O- ROBIN PHUKAN  
VILLAGE- BARUWATI  
P.O- CHARING  
P.S- GAURISAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

82: NABAJYOTI NATH  
S/O- GOLAP NATH  
VILLAGE- CHABUKDHARA  
P.O- HATIGHULI  
P.S- GAIROSAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

83: LAKHI PEGU  
S/O- DEBAKANTA PEGU  
VILLAGE- DEOGHARIA RANGALI  
P.O- DEOGHARIA  
P.S- KAKOTIBARI  
DISTRICT- SIVASAGAR  
ASSAM.

84: HIREN CHUTIA  
S/O- SUREN CHUTIA  
VILLAGE- MAHMORA KHONIKOR  
P.O- NAMTI  
P.S- AMGURI  
DISTRICT- SIVASAGAR  
ASSAM.

85: BIMAL KAKARACHOWA  
S/O-HOMESWAR KUKURACHUWA

VILLAGE- BOKOTA  
P.S- BOKOTA NEMUGURI  
DISTRICT- SIVASAGAR  
ASSAM.

86: TARUN BORO  
S/O- LATE- MENESWAR BORO  
VILLAGE- MICHAJAN  
P.O AND - BORHAT  
DISTRICT- SIVASAGAR  
ASSAM.

87: CHITRA RANJAN LEKHARU  
S/O- NAGEN LEKHARU  
VILLAGE- MOHCHAL  
P.O- HAFAUTING  
P.S- GAURISAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

88: GAKUL PHUKAN  
S/O- RUPESWAR PHUKAN  
VILLAGE- AKHOIYA  
P.O- PATSAKU  
P.S- MORANHAT  
DISTRICT- SIVASAGAR  
ASSAM.

89: SANKARJYOTI GOGOI  
S/O PUNARAM GOGOI  
VILLAGE- HUDUPARA PACHANI  
P.S- NAZIRA PACHONI  
DISTRICT- SIVASAGAR  
ASSAM.

90: PARTHA PRATIM SADHANIDAR  
S/O- DEBA SADHANIDAR  
VILLAGE- BHESELIMARI  
P.O- DEKHOWMUKH  
P.S- SIBSAGAR  
DISTRICT- SIVASAGTAR  
ASSAM.

91: MRIDUPABAN LAHON  
S/O- SAITYADHAR LAHON  
VILLAGE- DEWRI CHIGA  
P.O- NETAI  
P.S- DEMOW

DISTRICT- SIVASAGAR  
ASSAM.

92: LAKHIDHAR BEZBARUAH  
S/O- GIRISH BEZBARUAH  
VILLAGE- DUPANI  
P.O- NETAI  
P.S- DEMOW  
DISTRICT- SIVASAGAR  
ASSAM.

93: PRONO BORAH  
S/O- JUGEN BORAH  
VILLAGE - GARKUKH  
P.O- PHULPANICHIGA  
P.S- GAURISAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

94: BIBEK CH. DUTTA  
S/O-AKONMAN DUTTA  
VILLAGE- GARKUKH  
P.O- PHULAPANICHIGA  
P.S- GAURISAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

95: PANKAJ DUTTA  
S/O- BHABEN CH. DUTTA  
VILLAGE- CHARING DULIA GAON  
P.O- BARUWATI  
P.S- GAURISAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

96: MAHESJH MAJHI  
S/O- SABHILAL MAJHI  
VILLAGE- HARKINA  
P.O- PEOLIPUKAN  
P.S- GELEKY  
DISTRICT- SIVASAGAR  
ASSAM.

97: BABUL GOGOI  
S/O- MANIK GOGOI  
VILLAGE- MUJUMOLIA GOHAIN GAON  
P.O AND P.S- DEMOW  
DISTRICT- SIVASAGAR

ASSAM.

98: PRASANTA CHETIA  
S/O- SANIT CHETIA  
VILLAGE- BHADHARA NA-PAM GAON  
P.O- PHADHARA  
P.S- SIBASAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

99: UJJAL NATH  
S/O- PADMAKANTA NATH  
VILLAGE- NATH GAON  
P.O- CHARING  
P.S- GAURISAGAR  
DISTRICT - SIVASAGAR  
ASSAM.

100: MONUJ BORUAH  
S/O- JITEN BORUAH  
VILLAGE- BORGOHAIN BARI  
P.O- BONOMALI  
P.S- KAKATIBARI  
DISTRICT- SIVASAGAR  
ASSAM.

101: MANTU RAJKONWAR  
S/O- MONESWAR RAJKONWAR  
VILLAGE- SAGARBARI  
P.O- PATSAKU  
P.S- MORANHAT  
DISTRICT- SIVASAGAR  
ASSAM.

102: JATIN CHETIA  
S/O- GHANAKANTA CHETIA  
VILLAGE-PANBECHA  
P.O- BETNA  
P.S- SIBASAGAR  
DISTRICT- SIVASAGAR  
ASSAM.

103: JAGAT BARUAH  
S/O- KONESWAR BARUAH  
VILLAGE- NA-HAT  
P.O- KHALOIGHOGRA GAON  
P.S- MORANHAT  
DISTRICT- SIVASAGAR

ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM, DEPARTMENT OF HOME, DISPUR, GUWAHATI-  
781006

2:THE DIRECTOR GENERAL OF POLICE  
ASSAM  
ASSAM POLICE HEADQUARTERS  
ULUBARI  
GUWAHATI-781007

3:THE ADDITIONAL DIRECTOR GEENRAL OF POLICE (TAP)  
ASSAM POLICE HEADQUARTER  
ULUBARI  
GUWAHATI-781007

4:THE INSPECTOR GEENRAL OF POLICE (ADMN)  
ASSAM POLICE HEADQUARTERS  
ULUBARI  
GUWAHATI-781007

5:THE SUPERINTENDENT OF POLICE  
SIVASAGAR  
DIST-SIVASAGAR  
ASSAM

6:THE STATE LEVEL POLICE RECRUITMENT BOARD  
ASSAM  
REPRESENTED BY ITS CHAIRMAN  
ASSAM POLICE HOUSING CORPORATION LTD  
REHABARI  
GUWAHATI

**Advocate for the Petitioner : MR. K N CHOUDHURY**

**Advocate for the Respondent : GA, ASSAM**

Linked Case : WA/50/2022

THE STATE OF ASSAM AND 2 ORS  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
HOME AND POLITICAL DEPARTMENT  
DISPUR  
GUWAHATI- 781006.

2: THE DIRECTOR GENERAL OF POLICE

ASSAM POLICE HEADQUARTERS  
ULUBARI  
GHY-7

3: THE INSPECTOR GENERAL OF POLICE (ADMN.)  
ASSAM  
ASSAM POICE HEADQUARTER  
ULUBARI  
GHY-7  
VERSUS

SRI PALASH PHUKAN AND 165 ORS  
S/O NANDESWAR PHUKON  
VILL. LAPAI DIGHAL DERIALI  
PO. DEMOW MUKH  
P.S. SIBSAGAR.  
PIN- 785663.

2:HEMANTA CHUTIA

S/O JOYRAM CHUTIA  
VILL. BANMUKH CHUTIA GAON  
PO. BANMUKH  
P.S. SIBSAGAR  
PIN- 785663.

3:BROZEN BORAH  
S/O GUNA KANTA BORAH  
VILL. BAGPARA NITAI PUKHURI  
PO. NITAIPUKHURI  
P.S. DEMOW  
PIN- 785671.

4:PINKI BORGOHAIN  
D/O KAMAL BORGOHAIN  
VILL. GOHAIN GAON  
PO. KAIBATRADOLONE  
P.S. DEMOW  
PIN- 785640.  
5:RUMI GOGOI

D/O SUNESWAR GOGOI

VILL. TAMULI PUKHURI  
PO. MITHAPUKHURI  
P.S. SIBSAGAR  
PIN- 785697.  
6:RIPUNJA BORAH

S/O KIRON BORAH  
VILL. METEKA GHAT  
PHUKAN NAGAR  
PO/PS. SIBSAGAR  
7:SANJIB GOGOI

S/O BHARAT GOGOI  
VILL. LALIMGAON  
PO. CHEREKAPAR  
PO. SIBSAGAR  
8:BIBHUIT GOGOI

S/O LT. PRODIP GOGOI  
VILL. CHANGMAI GAON  
PO. CHEREKAPAR  
P.S. SIBSAGAR  
9:PARTHAJIT GOGOI

S/O GULUK CH. GOGOI  
VILL. CHANGMAI GAON  
PO. CHEREKAPAR  
P.S. SIBSAGAR  
10:BIMAN DOWARAH

S/O KHETRADHAR DOWARAH  
VILL. PANBESA  
PO. BETENA  
P.S. SIBSAGAR  
11:BIDYUT BIKASH BORAH  
S/O ARUN BORAH  
VILL. HAHCHARA MONIPURIA GAON  
PO. HAHCHARA KUJIBALI  
P.S. SIBSAGAR  
12:SARIFUL HUSSAIN

S/O SK. MOHIBUL HUSSAIN  
VILL. BORUAH CHUCK  
PO. KONWARPOUR  
P.S. SIBSAGAR  
13:BISWAJIT GOGOI

S/O PARAMANANDA GOGOI

VILL. JATAKIA  
PO. JATAKIA  
P.S. SIBSAGAR  
14:SATYAJIT BORAH

S/O MITHARAM BORAH  
VILL. OUTOLA MAJGAON  
PO/PS. DEMOW  
15:BIDYA BORAH

S/O NOBIN BORAH  
VILL. LEFERA GAON  
PO. SILASAKU  
P.S. SIMALUGURI  
16:RITU KALITA

S/O RAMESH KALITA  
VILL. RUPAPUR KALITA  
PO. DEMOW  
P.S. DEMOW  
17:AKIBUDDIN AHMED

S/O MUHIRATDDIN AHMED  
VIL. KARDOIGURI  
PO. SUKANPUKHURI  
P.S. SIBSAGAR  
18:JAYANTA KONWAR  
S/O BIREN KONWAR  
VILL.NO.2 KONWAR GAON  
PO. MITHA PUKHURI  
P.S. SIBSAGAR  
19:BISWAJIT NEOG

S/O MOHANDRA NEOG  
VILL. DULIA GAON  
PO. CHARING  
P.S. SIBSAGAR  
20:BIRAJ DUTTA

S/O JITEN DUTTA  
VILL. CHARING DULIA  
PO. BARUTI  
P.S. GAURISAGAR  
21:SIMANTA SAIKIA

S/O DANDIRAM SAIKIA  
VILL. KASHIBARI  
PO. BARUWATI

P.S. GAURISAGAR  
22:PRONAB CHETIA

S/O LATE PUNESWAR CHETIA  
VILL. NO-PAM CHETIA  
PO. SINGHADOWAR  
P.S. SIBSAGAR  
23:BOLINDRA BORAH

S/O ROBIN BORAH  
VILL. JAPIHOJIA  
PO. KALUGAON  
P.S. AMGURI  
24:ANIL KALITA

S/O RUDRA KALITA  
VILL. NAMDANG  
PO/PS. GAURISAGAR  
25:BISWAJIT GOGOI

S/O SUNIL GOGOI  
VIL. HANDIANE GAON  
PO. CHAMUA KHANIKOR  
P.S. GAURISAGAR  
26:ROMAN BORGOHAIN

S/O DILIP BORGOHAIN  
VILL. MECHAGARH GOHAIN  
PO. MECHAGARH  
P.S. NAZIRA  
27:KRISHNA HANDIQUE

S/O BIREN HANDIQUE  
VILL. MECHAGARH  
PO. MECHAGARH  
P.S. NAZIRA  
28:ARABINDA HATIMURIA

S/O PADMA HATIMURIA  
VILL. AIDEOBARI  
PO. DEOGHARIA  
P.S. GELEKY  
29:PARTHA JYOTI GOGOI

S/O DILIP GOGOI  
VILL. BAMWATI  
PO. CHARING  
P.S. GAURISAGAR

30:JATIN BORUAH

S/O DIMBA BORUAH  
VILL. DEWDUBI  
PO. NA-HAT  
P.S. DEMOW  
31:HEMANTA DAS

S/O TILIKA DAS  
VILL. KHAMUN  
PO. KHAMUN  
P.S. BOKOTA  
32:KRISHNA GOGOI

S/O PUTUL GOGOI  
VILL. MARAGAON  
PO. MADURI  
P.S. NAZIRA  
33:KAKU KR. DUTTA

S/O THUKHESWAR DUTTA  
VILL. MICHAJAN  
PO. MICHAJAN  
P.S. NAMTI  
34:UZZAL BARUAH

S/O PORAFULLA BARUAH  
VILL. ABHOYPURI  
PO. DEORAJA  
P.S. GAURISAGAR  
35:INDRA GOGOI

S/O DIMBESWAR GOGOI  
VILL. NAHAT  
PO/PS. DEMOW  
36:PADMA PHUKAN  
S/O JAYRAM PHUKAN  
VILL. LEPAIDHEGHAT DORIAL  
PO. DEMOW MUKH  
P.S. SIBSAGAR  
37:MAKHAN HAZARIKA

S/O MOHAN HAZARIKA  
VILL. BOKOTA KHAMUN  
PO. KHAMUN  
P.S. BOKOTA NEMUGURI  
38:AJIT BORAH

S/O TARUN BORAH  
VILL. PURANI MELIA  
PO. PHULPANICHIGA  
P.S. GAURISAGAR  
39:RAHUL GOGOI

S/O SAHURAM GOGOI  
VILL. THAWRA MAJGAON  
PO. RAJMAI  
P.S. DEMOW  
40:BHUBON KONWAR

S/O TUKHESWAR KONWAR  
VILL. NO.2 KONWARGAON  
PO. METHAPUKHURI  
P.S. SIBSAGAR  
41:JUN GOGOI  
S/O JITEN GOGOI  
VILL. NAMTI  
PO. NAMTI  
P.S. NAZIRA  
42:HIRUNONI CHETIA

S/O BINAL CHETIA  
VIL. MAGANA GAON  
PO. CHAULKARA  
P.S. SIBSAGAR  
43:KIRON CHANGMAI  
S/O SUREN CHANGMAI  
VILL. BOKPARA  
PO. NETAI  
P.S. DEMOW  
44:NITYANANDA NEOG  
S/O RAMEN NEOG  
VILL. DAGAON  
PO. MITHAPUKHURI  
P.S. SIBSAGAR  
45:HEMANTA GOGOI

S/O BUDHESWAR GOGOI  
VILL. SADHANI CHUCK  
PO. DEHING MUKH  
P.S. DEMOW  
46:RINTU GOGOI

S/O SATANYA GOGOI  
VILL. SADHANI CHUCK  
PO. DEHING MUKH

P.S. DEMOW  
47:DENISH BURAGOHAIN  
S/O ARUN BURAGOHAIN  
VILL. SOLADHARA  
PO. SILASAKU  
P.S. SIMALUGURI  
48:TAPAN PHUKAN

S/O PRABITRA PHUKAN  
VILL. BOKOTA BAIRAJIBOR  
PO. NAGALAMORA  
P.S. NEMUGURI  
49:INDRAJOTI BORAH

S/O ANUP KR. BORAH  
VILL. NO.1 RUPAHIBAN  
PO. UDOIPUR  
P.S. DEMOW  
50:PAPU KHANIKAR

S/O PRABIN KHANIKAR  
VILL. NA-PAM  
PO. CHARING  
P.S. GAURISAGAR  
51:NABADIP PHUKAN

S/O GIRIN PHUKAN  
VIL. BONUA CHANGAMI GAON  
PO. DEMOW  
P.S. DEMOW  
52:RAKESH JULLAH

S/O PONESH JULLAH  
VILL. BOKABIL  
PO. MITHAPUKHURI  
P.S. SIBSAGAR  
53:DEBOJIT CHUTIA

S/O AKON CHUTIA  
VILL. ANIAL TALI  
PO. UDAIPUR  
P.S. DEMOW  
54:GAUTOM HAZARIKA

S/O TANKESWAR HAZARIKA  
VIL. POHUCHUNGI  
PO. RAMONI ALI  
P.S. SIBSAGAR

55:DIBAKAR GOGOI

S/O LUHIT GOGOI  
VILL. NAHAT MAJGAON  
PO. NAHAT  
P.S. DEMOW  
56:RANTU CHUTIA

S/O BIREN CHUTIA  
VILL. BANMUKH CHUTIA MAJGAON  
PO. BANMUKH  
P.S. SIBSAGAR  
57:PRASANTA KAITA

S/O PUWAL KALITA  
VILL/PO. SARAGUWA  
P.S. DEMOW  
58:BIDYUT RANJAN KONWAR  
S/O BAIDANATH KONWAR  
VILL. RAISAI  
PO/PS. DEMOW  
59:PHANINDRA BORAH

S/O AKHOTI BORAH  
VILL. BETBARI JULYA GAON  
PO. MITHAPUKHURI  
P.S. SIBSAGAR  
60:ARJUN GOGOI

S/O PUTUL GOGOI  
VILL. NABIL  
PO. UDOIPUR  
P.S. DEMOW  
61:UMESH KONWAR

S/O TRAILUKYA KONWAR  
VILL. GAJALI  
PO. RAJMAI  
P.S. DEMOW  
62:PRANAB PHUKAN

S/O KAMAL PHUKAN  
VILL/PO. SARAGUWA  
P.S. DEMOW  
63:MONITRAM GOGOI

VILL. NAHAT  
PO/PS. DEMOW

64:NAYANMONEY CHETIA

S/O DEBOJIT CHETIA  
VILL. LAHAON GAON  
PO. JATAKIA  
P.S. NAZIRA  
65:DEEPJYOTI CHETIA

S/O BENUDHAR CHETIA  
VILL. SONTAK BOGDOI  
PO. SONTAK  
P.S. SIMALUGURI  
66:SURAJ GOGOI

S/O GUNARAM GOGOI  
VILL. DALAMIA  
PO. PHULPANICHIGA  
P.S. GAURISAGAR  
67:RUPAM SAIKIA

S/O ANIL SAIKIA  
VIL. BAILUNG GAON  
PO. NAMTI DOLL  
P.S. HALUWATING  
68:JOYJYOTI LAHON

S/O TUBURAM LAHON  
VILL. BORAKHOWA LAHON  
PO. JATAKIA  
P.S. NAZIRA  
69:MRIDUL LEKHARU  
S/O ROHINI LEKHARU  
VILL. TIFUK KOCHARI  
PO. DOBA TINIALI  
P.S. MORANHAT  
70:SUNIL GOGOI  
S/O DHIREN GOGOI  
VIL/PO. PEOLIPHUKON  
P.S. GELEKY  
71:LILAMBOR GOGOI

S/O PHULESWAR GOGOI  
VILL. CHAULKORA  
PO. DEKHARIKINAR  
P.S. SIBSAGAR  
72:GAKUL ARANDHARA

S/O UPEN ARANDHARA

VILL/PO. MAJBARI  
P.S. HALUWATING  
73:PRONOB BORGOHAIN

S/O GONESH BORGOHAIN  
VILL. BAHUABARI  
PO. BAM RAJABARI  
P.S. DEMOW  
74:UTPAL CHETIA

S/O MEGHANATH CHETIA  
VILL. SENGDHORA  
PO. SANTOK  
PS. SIMALUGURI  
75:POPI KONWAR

D/O LT. BIJOY KONWAR  
VILL. BEZGAON  
PO. NA-KHANA  
P.S. GAURISAGAR  
76:DIPAMONY CHANGMAI

D/O PITAMBAR CHANGMAI  
VILL. BUKANAGAR  
PO. HATICHARA KUJIBALI  
P.S. SIBSAGAR  
77:RUMI PADUN  
D/O HOREN PADUN  
VILL. DECHAMUKH  
PO. DEHING THAN  
P.S. DEMOW  
78:HEMA PRABHA GOGOI

D/O MUNMI GOGOI  
VILL. NAHAT MAJGAON  
PO. NAHAT  
P.S. DEMOW  
79:RUPJYOTI CHETIA

D/O DULAL CHETIA  
VILL. HARIKINAR  
PO. HATIPATTY  
P.S. GELEKY  
80:POPIMONEY DAS

D/O LT. PURNA DAS  
VILL. NAMDANG  
PO/PS. GAURISAGAR

81:RASMI REKHA GOGOI

D/O INDRESWAR GOGOI  
VILL. NAGALAMARA AHOM GAON  
PO/PS. NAGALAMARA  
82:SWALI PEGU  
D/O PHUKAN PEGU  
VILL. DEOGHARIA  
PO. RANGALI  
P.S. KAKATIBARI  
83:LAKHI BHARALUWA  
S/O KOKOI BHARALUWA  
VILL. BAKATA MOLM CHUCK  
PO. BAKATA  
P.S. BAKATA NEMUGURI  
84:PROBAB GOGOI

S/O JUGESWAR GOGOI  
VILL. HATIKINAR  
PO. PEOLI PHOKAN  
P.S. GELEKY  
85:MADHAV CHETIA

S/O PURNANANDA CHETIA  
VILL. HENA ALI  
PO. BAULIMAIDAN  
P.S. NAZIRA  
86:MOHAN SINGH GHAR

S/O MOHUHAR GHAR  
VILL/PO. HATIPATI  
P.S. GELEKY  
87:BHASKAR DEHINGIA

S/O GAHIN DEHINGIA  
VILL. BAKATA BORBIL  
PO. SARUBHANGA  
88:MANURANJAN GOGOI

S/O GHANA KANTA GOGOI  
VILL. NO.2 HALAGARI  
PO. MARDAMANI  
P.S. MORANHAT  
89:DEBAJIT BARMAN

S/O ANIL BARMAN  
VILL. BHARALUWA  
PO. DIKHOMUKH

P.S. GAURISAGAR  
90:DIPANKAR BEZBARUAH

S/O DHANAY BEZBARUAH  
VILL. DOPANI  
PO. NETAI  
P.S. DEMOW  
91:MOON KONWAR BORAH

D/O DIPAK BORAH  
VILL. CHEREKAPAR CHANGMAI GAON  
PO. CHEREKAPAR  
P.S. SIBSAGAR  
92:MITALI SADHANIDAR

D/O LT. PADMESHWAR SADHANIDAR  
VIL. GUWAL GAON  
PO. DIKHOMUKH  
P.S. GAURISAGAR  
93:JAYANTA DEORI

S/O LT. LAKHIMBAR DEORI  
VILL. KATIHARI  
PO. BAMRAJABARI  
P.S. DEMOW  
94:BINOD BORUAH

S/O LOLIT BORUAH  
VILL. BOGIGURI LIKSUN  
PO. RAMONIALI  
P.S. SIMALUGURI  
95:SIMANTA GOGOI

S/O RADMA GOGOI  
VILL. BOGARIGURI LUNPURIA  
PO. RAMONIALI  
P.S. SIMALUGURI  
96:NITU DOLEY

D/O TRIDIP DOLEY  
VILL. WEST JAMUNAROAD  
PO/P.S. SIBSAGAR  
97:SAILEN CHUTIA

S/O DURGA CHUTIA  
VILL/PO. BOGIDOLE  
P.S. SIBSAGAR  
98:BULI BORAH

D/O HEMA BORAH  
VILL. NAHARTOLI  
PO. KHALOI GHOGURA  
P.S. MORANHAT  
99:HEMANTA BORUAH

S/O LILADHAR BORUAH  
VILL. BORDHAYAN  
PO. PATSAKU  
P.S. MORANHAT  
100:NANDITA MILI

D/O MANRILAN MILI  
VILL. MAJARBARI  
PO. DESANGMUKH  
P.S. SIBSAGAR  
101:MINTU GOGOI  
S/O UMA KANTA GOGOI  
VIL. BORALI PUKHURI  
PO. SENSUWA  
P.S. HALUWATING  
102:RUPJYOTI KONWAR  
S/O PUJYA KONWAR  
VILL. MOLAGAON  
PO. MADURI  
P.S. NAZIRA  
103:PRASANTA GOGOI

S/O NEREN GOGOI  
VIL. PATARGAON BORUA ALI  
PO/PS. HALUWATING  
104:NITUL GOGOI

S/O NITYANANDA GOGOI  
VILL. NABIL  
PO. UDOIPUR  
P.S. DEMOW  
105:ANKUR CHETIA

S/O RADHA CHETIA  
VILL. JABALATING  
PO. BAKHARBENGANA  
P.S. NEMUGURI  
106:MRIDUL BORUAH

S/O BISWAJIT BORUAH  
VILL. NO.1 AHON GAON

PO. SINGIBIL  
P.S. GELEKY  
107:BHASKAR CHUTIA

S/O ANANDA CHUTIA  
VILL. DEGHALIA HULA  
PO. NAHAT  
P.S. DEMOW  
108:KARUNA NATH

S/O SOMESWAR NATH  
VILL. TELIAL  
PO. HALUWATING  
P.S. GAURISAGAR  
109:JITU GOGOI

S/O KHIROD GOGOI  
VILL. KONWAMARA SATRA  
PO. SUKANPUKHURI  
P.S. SIBSAGAR  
110:MONJIT HANDIQUE

S/O NOREN HANDIQUE  
VILL/PO. DEGHOLIA  
P.S. BORBORUAH  
111:AMARJIT BORUAH

S/O PHONINDRA BORUAH  
VILL. MAJUMALIA  
PO. PHULPANI SIGA  
P.S. GAURISAGAR  
112:PORAG DAS

S/O INDRA DAS  
VILL. KONWARPUR SENSUWA  
PO. CHAULKARA  
P.S. SIBSAGAR  
113:DHRUBAJYOTI PHUKAN

S/O ROBIN PHUKAN  
VIL. BARUWATI  
PO. CHARING  
P.S. GAURISAGAR  
114:JADUMONI PHUKAN

S/O PHULESWAR PHUKAN  
VILL. MANTANIA  
PO. DEORAJA

P.S. AMGURI  
115:NABAJYOTI NATH  
S/O GOLAP NATH  
VILL. CHABUKDHARA  
PO. HATIGHULI  
P.S. GAURISAGAR  
116:LAKHI PEGU

S/O DEBAKANTA PEGU  
VILL. DEOGHARIA RANGALI  
PO. DEOGHARIA  
P.S. KAKOTIBARI  
117:PRANJAL HAZARIKA

S/O GUNA BURAGOHAIN  
VILL. BANTUNG  
PO. TENGAPUKHURI  
P.S. MATHURAPUR  
118:PRANJAL HAZARIKA

S/O LT. LAHIT HAZARIKA  
VILL/PO. SOTIANGAGURI  
P.S. SAPEKHATI  
119:ARUPJYOTI PHUKAN

S/O TILESWAR PHUKAN  
VILL. PALENGI DHYAN GAON  
PO. PALENGI  
P.S. DEMOW  
120:MANASH JYOTI KONWAR

S/O BIPIN KONWAR  
VILL. KUJIBALI KONWAR GAON  
PO. HANCHARA  
P.S. SIBSAGAR  
121:LAKHINATH DAS

S/O PRAFULA DAS  
VILL. BOKATA LAKHMONI  
P.S. BOKOTA NEMUGURI  
122:HIREN CHUTIA

S/O SUREN CHUTIA  
VILL. MAHMORA KHONKOR  
P.S. AMGURI  
123:BIMAL KAKARACHOWA

S/O HOMESAWAR KUKURACHUWA

VILL. BOKOTA  
P.S. BOKOTA NEMUGURI  
124:NARAYAN GOGOI

S/O KUKHESWAR GOGOI  
VIL. DHYAN  
PO. PALENGI  
P.S. DEMOW  
125:TARUN BORO  
S/O LT. MENESWAR BORO  
VILL. MICHAJAN  
PO/PS. BORHAT  
126:JATIN CHETIA

S/O GHANAKANTA CHETIA  
VILL. PANBECHA  
P.S. BETNA  
P.S. SIBSAGAR  
127:JITU GOGOI

S/O MILOU GOGOI  
VILL. MAJUMOLIA  
PO. PHULPANISIGA  
128:CHITRA RANJAN LEKHARU  
S/O NAGEN LEKHARU  
VILL. MOHCHAL  
PO. HAFOOLUTING  
P.S. GAURISAGAR  
129:PRANABJYOTI KHANIKAR  
S/O BAGAI KHANIKAR  
VILL. HATIGHULI  
PO. GAURISAGAR  
P.S. GAURISAGAR  
130:NIREN BHARALI

S/O SAMESWAR BHARALI  
VILL. BOKDARA  
PO. NETIA  
P.S. DEMOW  
131:GAKUL PHOKUN

S/O RUPESWAR PHUKAN  
VILL. AKHOIYA  
PO. PATSAKU  
P.S. MORANHAT  
132:BHOBESH MOHAN  
S/O PURNA MOHAN  
VILL. PATCHAKU

P.S. BOKOTA NEMUGURI  
133:SANKARJYOTI GOGOI

S/O PUNARAM GOGOI  
VILL. HUDUPARA PACHANI  
P.S. NAZIRA  
PACHONI  
134:PARTHA PRATIM SADHANIDAR

S/O DEBA SADHANIDAR  
VILL. BHESELI MARI  
PO. DEKHOWMUKH  
P.S. SIBSAGAR  
135:MRIDUPABAN LAHON

S/O SAITYADHAR LAHON  
VILL. DEWRI CHIGA  
PO. NETAI  
P.S. DEMOW  
136:PINKU CHUTIA

S/O BIJOY CHUTIA  
VILL. DEHINGIA GAON  
PO. JAYRAPAR  
P.S. SIBSAGAR  
137:CHANDRA CHULADHARA  
S/O SUSHAN CHULADHARA  
VILL. CHULADHARA  
PO. NEMUGURI  
P.S. BAKATA NEMUGURI  
138:SANGITA MARAR  
D/O SURAJ KR. MARAR  
VILL. KETEKIBARI  
PO. MEZENGA  
P.S. NAZIRA  
139:JINTU GOGOI

S/O NIPEN GOGOI  
VILL. BHADHARA  
PO. PATSAKU  
P.S. BOKOTA NEMUGURI  
140:BORNALI BORUAH

D/O UKHADHAR BORUAH  
VILL. BAKATA NA GAON  
PO. HALOGURI  
P.S. BAKATA NEMUGURI  
141:ANKITA BORUAH

D/O HOREN BORUAH  
VILL. BOKOTA NAGAON  
PO. HOLOGURI  
P.S. NEMUGURI  
142:LAKHIDHAR BEZBARUAH

S/O GIRISH BEZBORUAH  
PO. NETAI  
P.S. DEMOW  
143:PRONO BORAH

S/O JUGEN BORAH  
VILL. GARKUKH  
PO. PHULPANI CHIGA  
P.S. GAURISAGAR  
144:BITUL SOLADHARA  
S/O DIPOK SOLADHARA  
VILL. SOLADHARA  
PO/PS. NEMUGURI  
145:UTPAL KR. NATH

D/O UMA KANTA NATH  
VILL. GAHARAGURI  
PO/PS. HATIGHULI  
146:BIBEK CH. DUTTA

S/O AKONMAN DUTTA  
VILL. GARKUKH  
PO. PHULAPANICHIGA  
P.S. GAURISAGAR  
147:PANKAJ DUTTA

S/O BHABEN CH. DUTTA  
VILL. CHARING DULIA GAON  
PO. BARUWATI  
P.S. GAURISAGAR  
148:SANTANU GOGOI

S/O NEREN GOGOI  
VILL. JIAMORI GOGOI  
PO. PALENGI  
P.S. DEMOW  
149:JAGAT BORAH

S/O KONESWAR BORAH  
VILL. NA HAT  
PO. KHALOIGURA GAON

P.S. MORANHAT  
150:DILIP CHETIA

S/O PUNARAM CHETIA  
VILL. NO.1 BORBIL KENDRA  
PO. BANAMALI  
P.S. KATHANIBARI  
151:RAJIB GOGOI

S/O ROMESH GOGOI  
VILL. LALIM GAON  
PO. CHEREKAPAR  
P.S. SIBSAGAR  
152:AMLANTA BORUAH

S/O PUNARAM BORUAH  
VILL. BAILUNG GAON  
PO. NAMTI DOLL  
P.S. HALUWATING  
153:ARUP BORAH

S/O KHIROD BORAH  
VILL. NEMUGURI KHONGIA  
PO. NEMUGURI  
P.S. BOKOTA NEMUGURI  
154:DEEPJYOTI DAS

S/O NANDIRAM DAS  
VILL. PATHALIAL KOIBARTRA GAON  
PO. PATSAKU  
P.S. BAKATA NEMUGURI  
155:MAHESH MAJHI  
S/O SABHILAL MAJHI  
VILL. HARKINA  
PO. PEOLIPHUKAN  
P.S. GELEKY  
156:BABUL GOGOI

S/O MANIK GOGOI  
VILL. MUJUMOLIA GOHAIN GAON  
PO/PS. DEMOW  
157:BIMAN BORUAH  
S/O BIMAL BORUAH  
VILL/PO. BIHUBOR  
P.S. SIMALUGURI  
158:PRASANTA CHETIA

S/O SANIT CHETIA

VILL. BHADHRA  
P.S. SIBSAGAR  
159:RUBUL BORAH

S/O DEBEN BORAH  
VILL/PO. CHENAMORA  
P.S. SIBSAGAR  
160:KOUSTOV MAHANTA

S/O INDRA MAHANTA  
VILL/PO. DEOPANI  
P.S. GELEKY  
161:DIPJYOTI DIHINGIA

S/O THENESWAR DIHINGIA  
VILL. NOIKUSH MACHKHUWA  
PO/PS. MACHKHUWA  
C/O HOREN GOGOI  
ONGC COLONY  
QTR. NO.A-146  
162:UJJAL NATH

S/O PADMAKANTA NATH  
VILL. NATH GAON  
PO. CHARING  
P.S. GAURISAGAR  
163:POLLAV SOLADHARA

S/O RAJEN SOLADHARA  
VILL. SOLADHARA GAON  
PO/PS. BAKATA NEMUGURI  
164:MONUJ BORUAH

S/O JITEN BORUAH  
VILL. BORGOHAIN BARI  
PO. BORAMALI  
P.S. KAKATIBARI  
165:KARUN GOGOI

S/O KAMINI GOGOI  
VILL. BAKATA NEMUGURI  
PO. CHIRARI CHUCK  
P.S. BOKOTA NEMUGURI  
166:MANTU RAJKONWAR

S/O MONSWAR RAJKONWAR  
VILL. SAGARBARI  
PO. PATSAKU

P.S. MORANHAT ALL THE PETITIONERS ARE PERMANENT RESIDENT OF DISTRICT SIBSAGAR AND HAVING COMMON CAUSE OF ACTION  
167:JITU DOWARAH  
S/O- BIPUL DOWARAH  
VILL.- DEHINGIA GAON  
P.O. NETAI  
P.S. DEMOW  
PIN- 785671.

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Advocate for : SR  
GA  
ASSAM

Advocate for : appearing for SRI PALASH PHUKAN AND 165 ORS  
For the Appellants/ Respondents: Mr. K.N. Choudhury, Sr. Advocate

Mr. M.U. Ahmed, Advocate  
For the Respondents/ Appellants Mr. D. Mazumder, Addl. AG, Assam  
Mr. G.R. Dutta, Advocate

**BEFORE**  
**HONOURABLE THE CHIEF JUSTICE**  
**HONOURABLE MR. JUSTICE SUMAN SHYAM**

**JUDGMENT & ORDER (CAV)**

**Date : 12-06-2024**

**(Suman Shyam, J)**

By this common judgment and order, we propose to dispose of two writ appeals, i.e. W.A. No. 323/2021 and W.A. No. 50/2022, since common questions of law and facts are involved in both these appeals. The facts and circumstances, giving rise to filing of the two writ appeals, as appearing from the materials available on record, shorn of unnecessary details, are narrated here-in-below.

2. The Inspector General of Police (Admn.) of Assam Police had published advertisement notice dated 20-02-2009 inviting applications for recruitment in the posts

of Armed Branch Constable in the Assam Police (for ONGC security) Battalion/ 24<sup>th</sup> Assam Police (IR) Battalion and 1002 vacant posts of Armed Branch Constable. According to the advertisement notice, the recruitment rally was to be conducted in different Police districts/ Battalions in the month of June, 2009. The advertisement notice, *inter alia*, provided that 10% of the vacancies would be reserved for women candidates. In response to the advertisement notice dated 20-02-2009, a large number of candidates including the writ appellants had submitted their applications. It appears that the appellants are candidates from the Sivasagar district of Assam.

3. The selection procedure, which was conducted district-wise, comprised of (a) physical measurement and fitness test and (b) personal interview. After completion of the selection process and publication of the employment notice containing the roll numbers of the selected candidates, as many as 167 unsuccessful candidates, pertaining to Sivasagar district, had approached this Court by filing W.P.(C) No. 2725/2010, *inter alia*, contending that there were large scale anomalies in the selection process, and by providing cut-off marks subsequently, the respondents had changed the rules of the game.

4. After hearing the arguments of both the parties, the learned Single Judge had disposed of W.P.(C) No. 2725/2010 by the judgment and order dated 22-02-2019 with a direction upon the respondents to consider the case of the writ petitioners for appointment in the post of Armed Branch Constable (AB Constable) with a further direction that the respondent shall not fill up any post of Armed Branch Constable without considering the case of the petitioners.

5. Pursuant to the aforesaid direction passed by the judgment and order dated 22-02-2019 the Addl. Director General of Police (Admn.) Assam had conducted an enquiry into the matter where-after, he had arrived at the conclusion that many of the writ petitioners either (a) did not apply for the recruitment test, or (b) did not appear in the recruitment test, or (c) failed in the Physical Efficiency Test (PET), or (d) failed in viva-voce interview, or (e) obtained marks less than the cut-off marks, for which they were not selected. As such, by issuing a speaking order dated 21-10-2019, the Addl. Director General of Police (Admn.) had opined that the writ petitioners did not come within the zone of consideration for appointment as AB Constable. It was also mentioned in the order dated 21-10-2019 that "this dispose of the Hon'ble Gauhati High Court order dated 22-02-2019".

6. In the meantime, by issuing advertisement notice dated 25-04-2018, the respondent authorities had invited fresh applications for filling up a number of posts of AB Constable as well as Unarmed Branch Constable in the Assam Police. Subsequently, by issuing a corrigendum notice dated 21-08-2020 the Addl. Director of Police (Admn.) had also notified that the expression "this dispose of the Hon'ble Gauhati High Court order dated 22-02-2019" appearing in the order dated 21-10-2019 would stand omitted and the same may be read as "further action will be taken in the matter subject to outcome of the writ appeal being preferred before the Hon'ble High Court against the judgment and order dated 22-02-2019 passed in W.P.(C) No. 2725/2010 and W.A. No. 323/2021".

7. Aggrieved by the speaking order dated 21-10-2019 as well as corrigendum dated 21-08-2020, 126 candidates, who had applied for the post of AB Constable from the Sivasagar district, had approached this Court once again, by filing W.P.(C) No. 4133/2020,

*inter-alia*, contending that the speaking order dated 21-10-2019 contravenes the directions issued by the learned Single Judge vide judgment and order dated 22-02-2019 passed in W.P.(C) No. 2725/2010. According to these writ petitioners, the respondents have failed to consider their case for appointing them in the post of AB Constable in terms of the order dated 22-02-2019.

8. From the records of this case, it appears that four writ petitioners of W.P.(C) No. 2725/2010 had also filed a contempt petition numbered and registered as Contempt Case (C) No. 698/2019 before this Court alleging willful violation of the judgment and order dated 22-02-2019. It also appears that assailing the fresh selection process initiated by the authorities for filling up the vacant posts of AB Constable by issuing advertisement notice dated 25-04-2018 as well as addendum issued on 19-12-2019, those four writ petitioners had also filed W.P.(C) No. 2725/2020 wherein, an interim order was passed by the Court on 17-07-2020 directing the respondent authorities not to fill up 04 posts of AB Constable in the ensuing selection process for the district of Sivasagar. Another writ petition being W.P.(C) No. 3020/2020 was also filed by some of the petitioners with similar grievance. It also appears that Cont. Case (C) No. 698/2009 has been closed by this Court on 26-05-2023. However, W.P.(C) No. 2725/2020 and W.P.(C) No. 3020/2020 are still pending disposal before this Court.

9. By the judgment and order dated 08-10-2021 the learned Single Judge has dismissed the writ petition being W.P.(C) No. 4133/2020 by observing that the petitioners had failed to make out any case for interference. Aggrieved by the judgment and order dated 08-10-2021, the writ petitioners have preferred W.A. No. 323/2021.

10. It further appears that during the pendency of W.A. No. 323/2021, the State of Assam, along with the Director General of Police as well as Inspector General of Police (Admn.) had preferred an appeal against the judgment and order dated 20-02-2019, which was numbered and registered as W.A. No. 50/2022. In the said writ appeal, the appellants have contended that the learned Single Judge has failed to record a specific findings in the order dated 22-02-2019 as regards any illegality/ irregularity in the selection process conducted for the district of Sivasagar nor is there any finding of fact so as to indicate as to which are the candidates who had secured marks above the cut-off marks but were not selected. According to the appellants, the finding of learned Single Judge that the selection process is vitiated by irregularities is perverse and therefore, the judgment and order dated 20-02-2019 is liable to be set aside. Due to the similarity of issues, both the writ appeals were heard together.

11. Addressing arguments on behalf of the writ appellants in W.A. No. 323/2021, Mr. K.N. Choudhury, learned Sr. counsel has argued that in view of the findings and observations made by the learned Single Judge in the judgment and order dated 20-02-2019 and the specific direction issued therein, the respondents were duty bound to issue orders of appointment in favour of his clients. However, instead of doing so, by the speaking order dated 21-10-2019, the respondents have not only rejected the claim of the writ petitioners but have also recorded findings of fact which were contrary to the direction passed by the learned Single Judge. According to Mr. Choudhury, by the impugned speaking order 21-10-2019, the respondents have not only sat in appeal over the order passed by the learned Single Judge on 22-02-2019 but have also committed

contempt of this Court.

12. Mr. Choudhury further submits that realizing the mistake committed by the authorities, corrigendum notice dated 21-08-2020 was issued. However, the aforesaid rearguard action on the part of the respondents, according to Mr. Choudhury, cannot justify their action in not complying with the directions passed by the learned Single Judge vide order dated 22-02-2019 in letter & spirit. According to Mr. Choudhury, in view of the order dated 22-02-2019, the respondents were duty bound to issue appointment orders in favour of the appellants and therefore, the learned Single Judge has committed manifest illegality in dismissing the writ petition by the impugned judgment and order dated 08-10-2021.

13. Mr. D. Mazumder, learned Addl. Advocate General, Assam appearing for the appellants in W.A. No. 50/2022, on the other hand, has argued that the judgment and order dated 22-02-2019 passed in W.P.(C) No. 2725/2010 is not based on any proper finding of facts recorded on the basis of materials on record nor has the learned Single Judge recorded any finding as regards the right of the writ petitioners, if any, to be appointed in the post of AB Constable. Under the circumstances, submits Mr. Mazumder, the impugned judgment and order dated 22-02-2019 is vitiated by perversity and hence, liable to be interfered with by this Court.

14. It is also the submission of Mr. Mazumder that in the absence of the selected candidates being made parties in the writ petition, the question of interfering with their selection/ appointment as AB Constable, after the lapse of nearly 15 years, would not arise. Hence, no writ of mandamus could have been issued by the learned Single Judge

vide order dated 22-02-2019 to appoint the writ petitioners, that too, without displacing the selected candidates.

15. We have considered the submissions made at the Bar and have also gone through the materials available on record. Since the genesis of these two appeals lie in the judgment and order dated 22-02-2019 passed by the learned Single Judge in W.P.(C) No. 2725/2010, we propose to discuss the contents of the aforesaid judgment first in point of time.

16. On a careful reading of the judgment and order dated 22-02-2019 we find that the learned Single Judge had rejected the arguments made on behalf of the writ petitioners on the question of violation of the reservation quota meant for the women candidates. However, the argument of the writ petitioners that the authorities have changed the rules of the game by subsequently fixing the cut-off marks found favour with the learned Single Judge, inasmuch as it was observed that the respondents, having fixed a "cut-off mark", have failed to strictly adhere to the same. It was further observed that some of the candidates who had secured marks above the "cut-off mark" had not been selected. However, the learned Single Judge has not recorded any finding of fact as to who were those candidates who had secured marks above the cut-off mark but had not been selected.

17. Coming to the question of selection and appointment of the writ petitioners in the W.P.(C) No. 2725/2010, the learned Single Judge has observed that since the selected/appointed candidates were not parties to the writ proceeding nor was there any interim order passed in the writ petition, it would be unfair to dislodge the selected candidates

without giving them any opportunity of being heard. On such basis, the learned Single Judge had declined to interfere with the selection and appointment of AB Constable for the district of Sivasagar. However, having held as above, the learned Single Judge had issued the following direction by the judgment and order dated 22-02-2019, which are reproduced herein-below for ready reference:-

*“1) The respondents are directed to consider the case of the petitioners for their appointment to the post of Armed Branch Constable or in any other equivalent post in the vacancies available i.e. current and next available vacancies. If the vacancies are limited, the petitioners will be considered in a phase manner till all of them are considered.*

*2) If it is found that the petitioners in the meantime have become overaged, the respondent authorities shall give them age relaxation as may be required.*

*3) It is made clear that the respondents without considering the case of the petitioners shall not fill up any post of Armed Branch Constable.”*

18. As noted above, after the judgment and order dated 22-02-2019 was passed, the Addl. Director General of Police had conducted an enquiry and found that the petitioners were not entitled to an order of appointment as AB Constable. Accordingly, by the order dated 21-10-2019, the relief prayed for by the writ petitioners in W.P.(C) No. 2725/2010 had been declined.

19. While considering the challenge made by the writ petitioners in W.P.(C) No. 4133/2020 which was instituted by assailing the speaking order dated 21-10-2019 as well as the corrigendum dated 21-08-2020, it was urged that the right of the writ petitioners to be appointed as AB Constable has been illegally denied by the authorities. Taking note of the case projected by the writ petitioners, the learned Single Judge had observed, in paragraph 16 of the impugned judgment that the only issue arising for determination in

the writ petition is pertaining to the validity of the speaking order dated 21-10-2019 issued by the Addl. Director General of Police (Admn.). Having identified the above issue, the learned Single Judge had recorded the following findings in paragraphs 21 and 22 of the impugned judgment and order dated 08-10-2021, which are reproduced herein-below for ready reference:-

*“21) As indicated herein before, it is seen from the Speaking Order dated 21.10.2019 that 156 number of posts were allotted for Sivasagar District out of which 8 (eight) posts (i.e. 5%) were reserved for appointment on compassionate ground and therefore, recruitment for 148 posts of AB Constable was conducted in Sivasagar District pursuant to advertisement dated 20.02.2009 and that a total of 142 candidates were selected category-wise. It must be remembered that none of the appointments made in the said selection process was set aside. Therefore, if the judgment under reference is interpreted to mean that all 167 petitioners in W.P. (C) 2725/2010 are to be appointed then out of 156 posts earmarked for Sivasagar, the total appointment would be to the extent of 323 persons, as such, the interpretation as sought to be given by the learned counsel for the petitioner would lead to an anomalous situation where appointments to be made in connection with recruitment drive of 2009 would lead to excess appointment in relation to the then sanctioned and available vacant posts.*

*22) The Court is compelled to take note of the fact that as per the pleadings made in the writ petition, the petitioners have assailed the Speaking Order dated 21.10.2019 on the premise that it runs contradictory to the mandate of the judgment in W.P.(C) 2725/2010. However, the contents of the said speaking order relating to the marks obtained and/or secured by the petitioners are not questioned at all. The said speaking order contains 12 columns, viz., (1) Serial no.; (2) name of the petitioners; (3) Category; (4) Roll no.; (5) 16 km race for male and 0.80 km race for women, max. marks- 15, qualifying marks-8 for both; (6) 100 mtrs. sprint for male and 60 mtrs. sprint for women, max. marks- 15, qualifying marks-8 for both; (7) long jump, max. marks- 10, qualifying marks-4.5 for both; (8) high jump, max. marks- 10, qualifying marks-4.5 for both; (9) viva voce and interview, total marks- 50, qualifying marks- 25 for both; (10) Total marks obtained; (11) Category wise cut off marks General- 68.5; SC- 63; ST(P)- 65; ST(H)- 56; OBC/MOBC- 66; Women-74.5; (12) Recruitment result of the petitioners and comments. It is seen that the respondent no. 2 had already assigned speaking reasons why the petitioners were not selected. Therefore, it is seen that in this writ petition, no attempt has been made by the petitioners to show which petitioner had scored higher than the last selected candidate in his/her respective category and/or was shown to be deserving and yet was selected and appointed. The*

*petitioners have also not made any attempt to demonstrate as to which successful and/or selected candidate was undeserving, but were appointed nonetheless. Similarly, no finding was given by this Court as to which of the petitioner. Therefore, on the face of it, the contents of the said Speaking Order dated 21.10.2019 cannot be faulted with.*

20. In the impugned judgment and order dated 08-10-2021, the learned Single Judge has further observed that the petitioners had failed to demonstrate from the judgment dated 22-02-2019 that any finding has been returned by the Court, indicating as to which of the petitioners were illegally not selected. Having observed as above, the learned Single Judge has further held as hereunder:-

*“25) In the considered opinion of the Court the restrictive interpretation of the directions contained in the said judgment dated 22.02.2019 in W.P.(C) 2725/2010, so as to completely exclude the respondent no. 2 from revisiting marks would lead to two illegalities, firstly, (i) in respect of 148 posts advertised, the total appointment of AB Constable in 2009 recruitment process in respect of Sivasagar District would be 323 persons against 156 sanctioned posts/ vacancies to be filed up by direct recruitment in the said District. Secondly, (ii) the otherwise undeserving petitioners, who had been unsuccessful in the recruitment process for the year 2009 would be continued to be appointed in the future vacancies in AB Constables of Assam Police in Sivasagar District till such period of time till all the petitioners are appointed, as if a new category or reservation has been made for the otherwise unsuccessful petitioners.”*

21. Referring to the findings and observations made in paragraphs 14 to 20 of the judgment and order dated 22-02-2019, the learned Single Judge has also observed that the interpretation of the judgment and order dated 22-02-2019 sought to be projected by the writ petitioners was not correct and if the same is accepted, it would amount to giving a premium to the undeserving persons. On the basis of such findings, the learned Single Judge has dismissed the writ petition being W.P.(C) No. 4133/2020.

22. From an analysis of the judgment and order dated 22-02-2019, we also find that

although some observations had been made by the learned Single Judge in the judgment dated 22-02-2019 as regards alleged irregularities in the selection process leading to exclusion of candidates securing marks above the cut-off mark, there is no mention in the judgment as to which are those candidates who had secured more than the cut-off mark nor is there any finding indicating as to which candidates were illegally selected and appointed pursuant to the impugned selection process. In the absence of any specific finding of fact as regards any infirmity in the selection and appointment of any undeserving candidate in the selection process, issuance of writ of mandamus for appointing any other candidate against those vacancies, in our considered opinion, would be wholly impermissible in the eyes of law. At the same time, unless the selection and appointment of the successful candidates are set-aside by the Court for cogent reasons, the question of appointing the writ petitioners in their place also cannot arise. We are, therefore, in complete agreement with the observation made by the learned Single Judge in paragraph 25 of the order dated 08-10-2021 to the effect that implementation of the order dated 22-02-2019, in the manner sought by the writ petitioners/ appellants, would lead to a situation where 323 persons would have to be appointed against 156 sanctioned post for Sivasagar district.

23. In view of the above, we are of the considered opinion that the directions contained in the operative part of the judgment and order dated 22-02-2019 suffers from serious infirmity inasmuch as the learned Single Judge had fallen into a serious error in law in issuing the writ of mandamus directing the respondents to consider the case of the writ petitioners for appointment as AB Constable against the notified vacancies without

interfering with the selection and appointment of selected candidates. Such being the position, we are of the unhesitant opinion that the impugned judgment and order dated 22-02-2019 passed in W.P.(C) No. 2725/2010 is unsustainable in the eyes of law and the same is liable to be set aside.

24. We are also of the opinion that although the language employed in the speaking order dated 21-10-2019 to the effect that "this dispose of the Hon'ble Gauhati High Court order dated 22-02-2019" was not proper, yet, having realizing the mistake, the competent authority had issued corrigendum dated 21-08-2020 omitting the said reference from the impugned speaking order dated 21-10-2019. We see no reason as to why, such corrective measure of the authorities should not be accepted by this Court to be a *bona-fide* action of the State.

25. Insofar as the merit of the findings recorded in the speaking order dated 21-10-2019 is concerned, it appears that the same is based on an elaborate exercise of fact finding done by the Addl. Director General of Police (Admn.), whereby, relevant facts have been brought on record. The learned counsel for the writ appellants in W.A. No. 323/2021 has not been able to point out as to why, such finding of facts recorded against the petitioners/ appellants by the competent authority should not be accepted to be correct. If that be so, the writ petitioners/ writ appellants cannot claim any right to be appointed in the posts of AB Constable pursuant to the above mentioned selection process since their candidatures have also been found to be deficient.

26. For the reasons stated hereinabove, we find ourselves in agreement with the views and opinion expressed by the learned Single Judge in the impugned judgment and order

dated 08-10-2021 holding that the writ petition is devoid of any merit. As such, W.A. No. 323/2021 stands dismissed.

25. For the reasons stated hereinabove, the impugned judgment and order dated 22-02-2019 passed by the learned Single Judge in W.P.(C) No. 2725/2010 stands quashed and set aside. Consequently, W.A. No. 50/2020 filed by the State stands allowed.

There would be no order as to cost.

**JUDGE**

**CHIEF JUSTICE**

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**Comparing Assistant**