

GAHC010050282020



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

**Case No. : WA/242/2022**

MD. BABUL HUSSAIN  
RESIDENT OF VILLAGE ROUMARI, MAUZA CHENGA, P.O. CHENIMARI, P.S.  
TARABARI, DIST. BARPETA, ASSAM, PIN 781305.

VERSUS

THE STATE OF ASSAM AND 4 ORS  
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM, DEPTT. OF  
REVENUE, DISPUR, GUWAHATI-6, PIN 781006.

2:THE COMMISSIONER TO THE GOVT. OF ASSAM

LOWER ASSAM DIVISION  
DISPUR  
GUWAHATI-6  
PIN 781006.

3:THE DEPUTY COMMISSIONER  
BARPETA  
DISTRICT BARPETA  
ASSAM.

4:THE ADDL. COMMISSIONER (LAND RECORD)

BARPETA  
DISTRICT BARPETA  
ASSAM  
PIN 781301.

5:MD. JAHIDUL HUSSIAN  
SON OF MD. JAINAL ABEDIN  
RESIDENT OF VILLAGE ROWMARI

MAUZA CHENGA  
P.O. CHENIMARI  
P.S. TARABARI  
DIST. BARPETA  
ASSAM  
PIN 781301

**Advocate for the Petitioner** : MR. A K PURKAYASTHA

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

**BEFORE**  
**HONOURABLE THE CHIEF JUSTICE**  
**HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

**ORDER**

**15.05.2024**

*(Vijay Bishnoi, CJ)*

This intra-court appeal is filed by the appellant being aggrieved with the order dated 29.08.2019 passed by the learned Single Judge in WP(C) 6777/2017, whereby the writ petition filed by the appellant has been dismissed.

The appellant raises a question regarding appointment of the respondent No. 5 as the Gaonburah of Charge No. 21, Chenga Revenue Circle in the district of Barpeta, Assam. The respondent No. 5 was appointed as Gaonburah on 10.10.2013.

The learned Single Judge, after hearing the learned counsel for the parties and after going through the records pertaining to the said selection process, recorded a finding that the marks awarded by the Members of the Selection Committee to the respondent No. 5 were higher than that of the appellant. The learned Single Judge has also observed that long time had elapsed since the selection and appointment of the respondent No. 5 and, therefore, no useful purpose would be served by remanding the matter to the appellate authority, which would be merely an academic exercise because no error or infirmity was

found by the Court in the selection of the respondent No. 5 as Gaonburah.

Having heard the learned counsel appearing for the appellant and taking into consideration the fact that even after dismissal of the writ petition filed by the appellant, almost five years have passed by, we are not inclined to interfere with the impugned order passed by the learned Single Judge. Hence, the appeal is dismissed.

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**