

GAHC010107662022



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

**Case No. : WP(C)/3734/2022**

BIKASH BANIA AND 5 ORS  
S/O BHABANI BANIA, VILL-SONARIGAON, P.O.-DA-PARBATIA, P.S.-  
TEZPUR, DIST-SONITPUR, PIN-784001

2: GHANA KANTA NATH  
S/O LT DHANI RAM NATH  
R/O VILL- NIZ BIHAGURI  
P.O.-BIHAGURI  
P.S.-TEZPUR  
DIST- SONITPUR  
PIN-784153

3: MD. ALI AKBAR  
S/O HOZARAT ALI  
VILL-SOLMARI  
P.O.-BISWANATH GHAT  
P.S.-BISWANATH CHARIALI  
DIST-SONITPUR  
PIN-784177

4: MD. NUR MAHAMMAD ALI  
S/O JAFFAR ALI  
VILL-NO. 2  
NAHARANI GRANT  
P.O.-RANGAPARA  
P.S.-RANGAPARA  
DIST- SONITPUR  
PIN-784505

5: NASIMUDDIN  
S/O MD. HAFIJUDDIN  
VILL-BESSERIA MUSLIM GAON  
P.O.-BESSERIA  
P.S.-TEZPUR

DIST-SONITPUR  
PIN-784001

6: MD. AKKASH ALI  
S/O LT. MUKSHED ALI  
VILL-NIZ-BAGHMARI  
P.O.-BURIGONG  
P.S.-GINGIA  
DIST-SONITPUR  
PIN-78417

VERSUS

THE STATE OF ASSAM AND 5 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM, HOME DEPARTMENT, DISPUR, GUWAHATI-781005

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

3:THE DIRECTOR GENERAL OF CIVIL DEFENCE (D.G.C.D.)  
AND COMMANDANT GENERAL OF HOME GUARDS (C.G.H.G.)  
ASSAM  
BELTOLA  
GUWAHATI-781028

4:STATE LEVEL POLICE RECRUITMENT BOARD ASSAM  
REPRESENTED BY THE CHAIRMAN  
(S.L.P.R.) BOARD ASSAM  
REHABARI  
GUWAHATI-781008

5:THE SUPERINTENDENT OF POLICE  
SONITPUR  
TEZPUR-784001

6:THE COMMANDANT OF 12 AP.BN  
JAMUGURIHAT SONITPUR-78418

**Advocate for the Petitioner** : MD. M H CHOUDHURY

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

Linked Case : WP(C)/4086/2022

JATIN NATH AND 3 ORS  
S/O. LT. BASUDEV NATH  
VILL. PUB BAREGAON  
P.O. SARBHOG  
DIST. BARPETA  
ASSAM-781317.

2: MD BOSIR UDDIN  
S/O. AMIR ALI  
VILL. BANKABHANGA  
P.O. BANKABHANGA  
DIST. BARPETA  
ASSAM-781319.

3: HABIBAR RAHMAN  
S/O. LT. FAZAR ALI  
VILL. KHELLI  
P.O. NIZRAMPUR  
DIST. BARPETA  
ASSAM-781319.

4: SHIRAZUL HAQUE

S/O. LT. AMZAD ALI  
VILL. MECHPARA  
P.O. MECHPARA  
DIST. BARPETA  
ASSAM-781313.  
VERSUS

THE STATE OF ASSAM AND 3 ORS  
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM  
DEPTT. OF HOME  
DISPUR  
GUWAHATI-06.

2:THE DIRECTOR GENERAL OF POLICE

ASSAM POLICE HEADQUARTERS  
ULUBARI  
GUWAHATI-781007.  
3:CHAIRMAN

STATE LEVEL POLICE RECRUITMENT BOARD

MADHABDEVPUR  
REHABARI  
GUWAHATI-781008.  
4:THE SUPDT. OF POLICE

OFFICE OF THE SUPDT. OF POLICE  
NAGAON  
ASSAM.

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Advocate for : MR H BORAH  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 3 ORS

Linked Case : WP(C)/5535/2022

JAYANT PAUL AND 11 ORS.  
SON OF JITENDRA PAUL

RESIDENT OF VILL- SADHUKUTI

P.S.- PATHARKANDI

DISTRICT- KARIMGANJ  
ASSAM.

2: JAIBUL HOQUE BARBHUIYA  
SON OF AZMAT ALI BARBHUIYA

RESIDENT OF VILL.- DAKSHIN MOHANPUR PART-IV

P.S.- KACHUDARAM  
DISTRICT- CACHAR  
ASSAM.

3: BIPLAB CHANDRA DAS  
SON OF LT. SITANGSHU DAS

RESIDENT OF VILL.- SRIPUR PART-II

PS.- KATIGARAH

DISTRICT- CACHAR  
ASSAM.

4: SAHIDUL ISLAM LASKAR  
SON OF MOIN UDDIN LASKAR

RESIDENT OF VILL.- RONGPUR PART-IV  
TARAPUR

SHIBBARI ROAD

P.S. SILCHAR

DISTRICT- CACHAR  
ASSAM.

5: ABDULLA CHOUDHURY  
SON OF ABDUL NOOR CHOUDHURY

RESIDENT OF VILL. BADRIPAR

P.S.- SILCHAR

DISTRICT- CACHAR  
ASSAM.

6: ATATUR RAHMAN  
SON OF LT. ABDUL MAZID

RESIDENT OF VILL- GULLA SHIAL

P.S. RAMKRISHNA NAGAR

DISTRICT- KARIMGANJ  
ASSAM.

7: ABDUL HUSSAIN MAZUMDER  
SON OF LT. ELIAS ALI

RESIDENT OF VILL.- DURGAPUR

P.S. BARKHOLA

DISTRICT- CACHAR  
ASSAM.

8: AMJAD HUSSAIN LASKAR  
SON OF SUNDAR RAYA LASKAR

RESIDENT OF VILL- UTTAR JASARABAD PART-I

P.S. LALA

DISTRICT- HAILAKANDI  
ASSAM.

9: JONAB ALI  
SON OF LT. ABDUR HOQUE

RESIDENT OF VILL.- HULASH NAGAR

P.S.- RATABARI

DISTRICT- KARIMGANJ  
ASSAM.

10: FARUK AHMED CHOUDHURY  
SON OF ABDUR RAHIM CHOUDHURY

RESIDENT OF VILL.- BHATISONGJURAI

P.S.- ALGAPUR

DISTRICT- HAILAKANDI  
ASSAM.

11: KABIR HUSSAIN LASKAR  
SON OF YASIN ALI LASKAR

RESIDENT OF VILL.- NIMAICHANDPUR

P.S.- LALA

DISTRICT- HAILAKANDI  
ASSAM.

12: SUDIP KUMAR NATH  
SON OF LT. SATYANDRA CHANDRA NATH

RESIDENT OF VILL.- BHAWANIPUR

P.S.- RAMKRISHNA NAGAR

DISTRICT- KARIMGANJ  
ASSAM.  
VERSUS

THE STATE OF ASSAM AND 6 ORS.  
REPRESENTED BY COMMISSIONER AND SECRETARY  
GOVT. OF ASSAM  
DEPARTMENT OF HOME AFFAIRS

DISPUR  
GUWAHATI-06.

2:THE DIRECTOR GENERAL OF POLICE  
HQ ULUBARI  
GUWAHATI- 781007.

3:THE INSPECTOR GENERAL OF POLICE (ADMN)  
HQ. ULUBARI  
GUWAHATI- 781007.

4:THE STATE LEVEL POLICE RECRUITMENT BOARD  
ASSAM  
REHABARI  
GUWAHATI- 781008

TO BE REPRESENTED BY ITS CHAIRMAN.

5:THE DISTRICT LEVEL POLICE RECRUITMENT BOARD  
CACHAR

TO BE REPRESENTED BY ITS CHAIRMAN CUM SUPERINTENDENT OF  
POLICE  
CACHAR.

6:THE DISTRICT LEVEL POLICE RECRUITMENT BOARD  
HAILAKANDI

TO BE REPRESENTED BY ITS CHAIRMAN CUM SUPERINTENDENT OF  
POLICE  
HAILAKANDI.

7:THE DISTRICT LEVEL POLICE RECRUITMENT BOARD

KARIMGANJ.

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Advocate for : MR. L R MAZUMDER

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 6 ORS.

Linked Case : WP(C)/3789/2022

SANJIB KALITA AND 5 ORS  
S/O SRI PRAFULLA KALITA  
VILL-NIZ BALIGAON  
P.O.-GOROKHIADOL  
P.S. AND DIST-JORHAT  
ASSAM  
PIN-785015

2: PULIN HAZARIKA  
S/O ANIL HAZARIKA  
VILL-KAKAJAN TINIKURIA GAON  
P.O.-KAKAJAN

P.S.-TEOK  
DIST-JORHAT  
ASSAM  
PIN-785107

3: PRAFULLA BORAH  
S/O GOLESWAR BORAH  
VILL-JHANJIMUKH BHAKAT GAON  
P.O.-JHANJIMUKH  
P.S.-TEOK  
DIST-JORHAT  
ASSAM  
PIN-785112

4: DIGANTA BORAH  
S/O BHOGESWAR BORAH  
VILL-CHARAI MORIA  
P.O.-BAMUN PUKHURI  
P.S.-TEOK  
DIST-JORHAT  
ASSAM  
PIN-785683

5: JAYANTA BORA  
S/O BHUBAN BORA  
VILL-NAGINIJURI GAON  
P.O.-RAIDANGJURI  
P.S.-BORHOLLA  
DIST-JORHAT  
ASSAM  
PIN-785631

6: MANASHJYOTI BORAH  
S/O CHANDRA BORAH  
VILL-TAMULI CHINGA GAYAN GAON  
P.O.-TAMULI CHINGA  
P.S.-TEOK  
DIST-JORHAT  
ASSAM  
PIN-785682  
VERSUS

THE STATE OF ASSAM AND 6 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM  
HOME DEPARTMENT  
DISPUR  
GUWAHATI-6



2:THE CHAIRMAN  
STATE LEVEL RECRUITMENT BOARD  
ASSAM  
REHABARI  
GUWAHATI-8

3:THE DIRECTOR GENERAL OF POLICE  
ASSAM  
ULUBARI  
GUWAHATI-7

4:THE DIRECTOR GENERAL OF HOME GUARDS  
ASSAM  
BELTOLA  
GUWAHATI-28

5:THE DISTRICT COMMANDANT  
HOME GUARD  
JORHAT

P.O. AND DIST-JORHAT  
PIN-785001

6:THE SUPERINTENDENT OF POLICE  
JORHAT

P.O. AND DIST-JORHAT  
PIN-785001

7:THE SUPERINTENDENT OF POLICE  
DIMA HASAO DISTRICT

HAFLONG  
P.O. AND P.S.-HAFLONG  
PIN-788819

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Advocate for : MR R ISLAM

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 6 ORS

Linked Case : WP(C)/4196/2022

MEHEBUB HUSSAIN  
S/O- LATE NAIMUDDIN MIAH  
RESIDENT OF VILLAGE- A.M.CO. ROAD  
WARD NO. 12  
P.O.- A.M.CO. ROAD  
P.S. DHUBRI  
DISTRICT- DHUBRI  
ASSAM  
PIN- 783323.

VERSUS

THE STATE OF ASSAM AND 2 ORS  
THROUGH THE COMMISSIONER AND SECRETARY TO THE GOVT. OF  
ASSAM  
HOME AND POLITICAL AFFAIRS DEPTT.  
DISPUR  
GUWAHATI.

2:THE DIRECTOR GENERAL OF POLICE ASSAM

ULUBARI  
GUWAHATI-07.

3:THE CHAIRMAN  
STATE LEVEL POLICE RECRUITMENT BOARD  
ASSAM  
REHABARI  
GUWAHATI-8  
APHC  
BUILDING.

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Advocate for : MR S DAS

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : WP(C)/4117/2022

NUMAL SARMAH AND ANR.  
SON OF LATE INDRA SARMAH  
VILL NO. 1 KAWAIMARI  
P.O. BADHAKARA  
P.S. BAGINADI  
DIST. LAKHIMPUR  
ASSAM  
PIN 787032.

2: SRI BALIN SAIKIA  
VILL. BADHAKARA BALIGAON  
P.O. BADHAKARA  
P.S. BAGINADI  
DIST. LAKHIMPUR  
ASSAM  
PIN 787032.  
VERSUS

THE STATE OF ASSAM AND 6 ORS.

REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM  
HOME DEPARTMENT  
DISPUR  
GUWAHATI-6

2:THE CHAIRMAN

STATE LEVEL RECRUITMENT BOARD  
ASSAM  
REHABARI  
GUWAHATI-8

3:THE DIRECTOR GENERAL OF POLICE

ASSAM  
ULUBARI  
GUWAHATI-7

4:THE DIRECTOR GENERAL OF HOME GUARDS

ASSAM  
BELTOLA  
GUWAHATI-28

5:THE DISTRICT COMMANDANT

HOME GUARD  
LAKHIMPUR  
P.O. AND DIST. LAKHIMPUR  
ASSAM  
PIN 787032.

6:THE SUPERINTENDENT OF POLICE

LAKHIMPUR  
P.O. AND DIST. LAKHIMPUR  
ASSAM  
PIN 787032.

7:THE SUPERINTENDENT OF POLICE

DIMA HASAO DISTRICT  
CHIRANG  
P.O. AND P.S. CHIRANG  
PIN 783390.

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Advocate for : MR R ISLAM

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 6 ORS.

Linked Case : WP(C)/3763/2022

JAHIRUL ISLAM @ ZOHIRUL ISLAM @ ZAHIRUL ISLAM AND 5 ORS  
S/O- LATE ABDUL KADER  
VILLAND P.O- MADATARI

P.S- FAKIRGANJ

DIST- SOUTH SALMARA MANKACHAR

PIN-783330

2: AZAD HUSSAIN  
S/O- TOSLIMUDDIN  
VILL-KOLABARI (DIARA)

P.O-RADHAMADHABHAT  
P.S- MANKACHAR

DIST- SOUTH SALMARA MANKACHAR

PIN-783131

3: NABIR HUSSAIN  
S/O- KHOLINUR RAHMAN  
VILL-THAKURANBARI

P.O AND P.S- MANKACHAR

DIST- SOUTH SALMARA MANKACHAR

PIN-783131

4: SAIJOL HOQUE  
S/O- LT. SALIBOR RAHMAN  
VILL-KOLABARI (DIARA)

P.O-RADHAMADHABHAT  
P.S- MANKACHAR

DIST- SOUTH SALMARA MANKACHAR

PIN-783131

5: ABDUL KHALEQUE  
S/O- LT. INSAN ALI  
VILL-BORBILA  
P.O-DHANUA

P.S- MANKACHAR

DIST- SOUTH SALMARA MANKACHAR

PIN-783135

6: INADUL ISLAM  
S/O- LT. SIDDIQUE ALI  
VILL-BORBILA  
P.O-DHANUA  
P.S- MANKACHAR

DIST- SOUTH SALMARA MANKACHAR

PIN-783135

VERSUS

THE STATE OF ASSAM AND 4 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
HOME DEPARTMENT  
DISPUR  
GUWAHATI-781006

2:THE DIRECTOR GENERAL OF POLICE

ASSAM  
ASSAM POLICE HEADQUARTERS  
ULUBARI  
GUWAHATI-781007

3:THE DIRECTOR GENERAL  
OF CIVIL DEFENSE (DGCD) AND COMMANDANT GENERAL OF HOME  
GUARDS (CGHG)

ASSAM

4:STATE LEVEL POLICE RECRUITMENT BOARD

ASSAM

REP. BY THE CHAIRMAN

( SLPR) BOARD

REHABARI (APHC) GUWAHATI.

5:THE DISTRICT COMMANDANT

TRAINING GROUND OFG 20TH

AP(IR)BN

PANBARI

DHUBRI

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Advocate for : MD. M H CHOUDHURY

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 4 ORS

Linked Case : WP(C)/3925/2022

TARUN BONIA  
S/O- BHABANI BONIA  
VILL. DA-PARBAITA SONARI GAON  
P.O. DA-PARBAITA  
P.S. TEZPUR  
DIST. SONITPUR  
ASSAM  
PIN- 784001  
ASSAM.

VERSUS

THE STATE OF ASSAM AND 6 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM  
HOME DEPARTMENT  
DISPUR  
GUWAHATI-6.

2:THE CHAIRMAN  
STATE LEVEL RECRUITMENT BOARD  
ASSAM  
REHABARI  
GUWAHATI-8.

3:THE DIRECTOR GENERAL OF POLICE  
ASSAM  
ULUBARI  
GUWAHATI-7.

4:THE DIRECTOR GENERAL OF HOME GUARDS  
ASSAM  
BELTOLA  
GUWAHATI-28.

5:THE DISTRICT COMMANDANT  
HOME GUARDS  
SONITPUR  
P.O. AND DIST.- SONITPUR  
PIN- 784001.

6:THE SUPERINTENDENT OF POLICE  
SONITPUR  
P.O. AND DIST.- SONITPUR  
PIN- 784001.

7:THE SUPERINTENDENT OF POLICE  
DIMA HASAO DISTRICT  
HAFLONG  
P.O. AND P.S. HAFLONG  
PIN- 788819.

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Advocate for : MR R ISLAM  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 6 ORS

Linked Case : WP(C)/3861/2022

AJAY KR RAY AND 2 ORS  
S/O. AMULYA KR. RAY  
VILL. AND P.O. NORH SALMARA  
P.S. ABHAYAPURI  
DIST. BONGAIGAON  
ASSAM  
PIN-783383.

2: KALIDAS ARJYA  
S/O. LT. KHUSHIMOHAN ARJYA  
VILL. DARKIANAMARI  
P.O. BUTGURI  
P.S. ABHAYAPURI  
DIST. BONGAIGAON  
ASSAM  
PIN-783383.

3: SANKAR SARKAR  
S/O. KESHAB CH. SARKAR  
VILL. DEOHATI (BHATIPARA)  
P.O. AND P.S. ABHAYAPURI  
DIST. BONGAIGAON  
ASSAM  
PIN-783384.  
VERSUS

THE STATE OF ASSAM AND 6 ORS  
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM  
HOME DEPTT.  
DISPUR  
GUWAHATI-06.

2:THE CHAIRMAN

STATE LEVEL RECRUITMENT BOARD  
ASSAM  
REHABARI  
GUWAHATI-08.  
3:THE DIRECTOR GENERAL OF POLICE

ASSAM  
ULUBARI  
GUWAHATI-07.  
4:THE DIRECTOR GENERAL OF HOME GUARDS

ASSAM  
BELTOLA  
GUWAHATI-28.  
5:THE DISTRICT COMMANDANT

HOME GUARD  
ABHAYAPURI  
BONGAIGAON  
P.O. ABHAYAPURI  
DIST  
BONGAIGAON  
PIN-783383.  
6:THE SUPDT. OF POLICE

BONGAIGAON  
P.O. AND DIST. BONGAIGAON  
PIN-783384.  
7:THE SUPDT. OF POLICE

DIMA HASAO DISTRICT  
CHIRANG  
P.O. AND P.S. CHIRANG  
PIN-783390.

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Advocate for : MR R ISLAM  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 6 ORS

Linked Case : WP(C)/4322/2022

DINARAM MILI  
S/O-MINARAM MILI

VILL- DANDI PATHAR



P.O- RAJABARI  
P.S- GOHPUR

DIST- SONITPUR  
ASSAM  
PIN-784001

VERSUS

THE STATE OF ASSAM AND 6 ORS  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
HOME DEPARTMENT  
DISPUR  
GUWAHATI-6

2:THE CHAIRMAN

STATE LEVEL POLICE RECRUITMENT BOARD

REHABARI  
GUWAHATI-781008  
ASSAM  
3:THE DIRECTOR GENERAL OF POLICE

ASSAM  
ULUBARI  
GUWAHATI-781007  
ASSAM  
4:THE DIRECTOR GENERAL OF HOME GUARDS

ASSAM  
BELTOLA  
GUWAHATI-28  
5:THE DISTRICT COMMANDANT  
HOME GUARD  
P.O AND DIST- SONITPUR  
PIN-784001

6:THE SUPERINTENDEN OF POLICE

P.O AND DIST- SONITPUR  
ASSAM  
PIN-784001  
7:THE SUPERINTENDENT OF POLICE  
DIST- DIMA HASAO

P.O AND P.S- HALFLONG

PIN-788819

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Advocate for : MR R ISLAM  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 6 ORS

Linked Case : WP(C)/4534/2023

A H ANWAR HUSSAIN BARBHUIYA AND ANR  
SON OF LATE HABIBUR ALI BARBHUIYA

RESIDENT OF VILL- BURIBALI PART-II

P.S.- BARKHOLA  
DISTRICT- CACHAR

ASSAM  
PIN- 788025.

2: SAIDUL HOQUE CHOUDHURY  
SON OF - ABDUL MANNAF CHOUDHURY

RESIDENT OF VILL- JOYDHANPUR  
P.O.- LAILAPUR

P.S.- DHOLAI  
DISTRICT- CACHAR

ASSAM  
PIN- 788120.  
VERSUS

THE STATE OF ASSAM AND 3 ORS  
REPRESENTED BY COMMISSIONER AND SECRETARY  
GOVT. OF ASSAM

DEPARTMENT OF HOME AFFAIRS  
DISPUR

GUWAHATI-06.

2:THE DIRECTOR GENERAL OF POLICE  
HQ ULUBARI  
GUWAHATI- 781007.  
3:THE STATE LEVEL POLICE RECRUITMENT BOARD  
ASSAM

REHABARI  
GUWAHATI- 781008

TO BE REPRESENTED BY ITS CHAIRMAN.  
4:THE DISTRICT LEVEL POLICE RECRUITMENT BOARD  
CACHAR  
TO BE REPRESENTED BY ITS CHAIRMAN CUM SUPERINTENDENT OF  
POLICE  
CACHAR

ASSAM.

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Advocate for : MR. L R MAZUMDER  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 3 ORS

Linked Case : WP(C)/4147/2022  
SHAHINUR ISLAM  
S/O MAZIBAR RAHMAN  
R/O VILL- SUKULARTARI  
P.O.-LAKHIGANJ  
P.S.-BILASHIPARA  
DIST-DHUBRI  
ASSAM  
PIN-783301

VERSUS

THE STATE OF ASSAM AND 2 ORS  
THROUGH THE COMMISSIONER AND SECRETARY TO THE GOVT. OF  
ASSAM  
HOME AND POLITICAL AFFAIRS DEPTT.  
DISPUR  
GUWAHATI

2:THE DIRECTOR GENERAL OF POLICE  
ASSAM  
ULUBARI  
GUWAHATI-07  
3:THE CHAIRMAN  
STATE LEVEL POLICE RECRUITMENT BOARD  
ASSAM  
REHABARI  
GUWAHATI-8  
APHC  
BUILDING

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Advocate for : MR S DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : WP(C)/4709/2022

GHANA KANTA MOCHAHARY  
S/O. SRI KHARGESWAR MOCHAHARY  
VILL. PAHAR PUR  
P.O. DHENTAGHAT  
P.S. SAMELANGSO  
DIST. KARBI ANGLONG  
ASSAM  
PIN-782441.

VERSUS

THE STATE OF ASSAM AND 6 ORS  
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM  
HOME DEPTT.  
DISPUR  
GUWAHATI-06.

2:THE CHAIRMAN

STATE LEVEL RECRUITMENT BOARD  
ASSAM  
REHABARI  
GUWAHATI-08.  
3:THE DIRECTOR GENERAL OF POLICE

ASSAM  
ULUBARI  
GUWAHATI-07.  
4:THE DIRECTOR GENERAL OF HOME GUARDS

ASSAM  
BELTOLA  
GUWAHATI-28.  
5:THE DISTRICT COMMANDANT

HOME GUARD  
KARBI ANGLONG  
P.O. AND DIST. KARBI ANGLONG

PIN-782441.  
6:THE SUPDT. OF POLICE

KARBI ANGLONG  
P.O. AND DIST. KARBI ANGLONG  
PIN-782441.  
7:THE SUPDT. OF POLICE

DIMA HASAO DISTRICT  
HAFLONG  
P.O. AND P.S. HAFLONG  
PIN-788819.

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Advocate for : MR R ISLAM  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 6 ORS

Linked Case : WP(C)/3928/2022

SUNMONI BORDOLOI AND 3 ORS  
S/O- SUNARAM BORDOLOI  
RESIDENT OF VILLAGE- SENSUWA PUKHURI  
P.O. SENSUWA PUKHURI  
DIST- DIBRUGARH  
ASSAM- 785675.

2: SONJIB GOHAIN  
S/O- DAMBARU GOHAIN  
RESIDENT OF VILLAGE- FUTAHULA  
P.O.- FUTAHULA  
ASSAM- 786010.

3: PONAKON DAS  
S/O- SRI PITIRAM DAS  
RESIDENT OF VILLAGE- MORISAGAON  
P.O.- CHETIAGAON  
DISTRICT- DIBRUGARH  
ASSAM- 786184.

4: MADAN RAIDONGIA  
S/O- SRI PANIRAM RAIDONGIA  
VILLAGE- REZAI  
P.O. REZAI  
DISTRICT- DIBRUGARH  
ASSAM- 786007.  
VERSUS

THE STATE OF ASSAM AND 7 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
DEPARTMENT OF HOME  
DISPUR  
GUWAHATI-06.

2:THE DIRECTOR GENERAL OF POLICE

ASSAM POLICE HEADQUARTERS  
ULUBARI  
GUWAHATI- 781007.

3:CHAIRMAN  
STATE LEVEL POLICE RECRUITMENT BOARD  
MADHABDEVPUR  
REHABARI  
GUWAHATI- 781008.

4:THE SUPERINTENDENT OF POLICE  
OFFICE OF THE SUPERINTENDENT OF POLICE  
NAGAON ASSAM.

5:SAMSUL HOQUE  
NOTICE TO RESPONDENT NO. 5 WILL BE SERVED THROUGH THE OFFICE  
OF THE SUPERINTENDENT OF POLICE  
NAGAON

I.E. RESPONDENT NO. 4.  
6:RAHIM UDDIN SHEIKH  
NOTICE TO RESPONDENT NO. 6 WILL BE SERVED THROUGH THE OFFICE  
OF THE SUPERINTENDENT OF POLICE  
NAGAON

I.E. RESPONDENT NO. 4.  
7:SHIRAJUL HOQUE  
NOTICE TO RESPONDENT NO. 7 WILL BE SERVED THROUGH THE OFFICE  
OF THE SUPERINTENDENT OF POLICE  
NAGAON

I.E. RESPONDENT NO. 4.  
8:JABED ALI  
NOTICE TO RESPONDENT NO. 8 WILL BE SERVED THROUGH THE OFFICE  
OF THE SUPERINTENDENT OF POLICE  
NAGAON

I.E. RESPONDENT NO. 4.

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Advocate for : MR. R MAZUMDAR

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 7 ORS

Linked Case : WP(C)/4673/2022

PHADOR KHAKHLARY  
S/O- MAHESWAR KHAKHLARY  
VILL.- GODABARI  
P.O. AND P.S. DOKMOKA  
DIST. KARBI ANGLONG  
ASSAM  
PIN- 782441.

VERSUS

THE STATE OF ASSAM AND 6 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM  
HOME DEPARTMENT  
DISPUR  
GUWAHATI-6.

2:THE CHAIRMAN  
STATE LEVEL RECRUITMENT BOARD  
ASSAM  
REHABARI  
GUWAHATI-8.

3:THE DIRECTOR GENERAL OF POLICE  
ASSAM  
ULUBARI  
GUWAHATI-7.

4:THE DIRECTOR GENERAL OF HOME GUARDS  
ASSAM  
BELTOLA  
GUWAHATI-28.

5:THE DISTRICT COMMANDANT

HOME GUARD  
KARBI ANGLONG  
P.O. AND DIST. KARBI ANGLONG  
PIN- 782441.

6:THE SUPERINTENDENT OF POLICE  
KARBI ANGLONG  
P.O. AND DIST. KARBI ANGLONG  
PIN- 782441.

7:THE SUPERINTENDENT OF POLICE  
DIMA HASAO DISTRICT  
HAFLONG  
P.O. AND DIST. HAFLONG  
PIN- 788819.

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Advocate for : MR R ISLAM  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 6 ORS

Linked Case : WP(C)/3937/2022

PRASANTA NEOG AND 3 ORS  
S/O. MR. CHANDRESWAR NEOG  
VILL. AND P.O. KOUPATARI  
P.S. GOGAMUKH  
DIST. DHEMAJI  
ASSAM  
PIN-787034.

2: PADMA GOGOI  
S/O. CHENGELI GOGOI  
VILL. AND P.O. KHUBALIA  
P.S. AND DIST. DHEMAJI  
ASSAM  
PIN-707057.

3: SANJIB BASUMATARY  
S/O. RABINDRA BASUMATARY  
VILL. NO.1 KADAMGURI  
P.O. KADAMGURI  
P.S. GOGAMUKH  
DIST. DHEMAJI  
ASSAM  
PIN-787034.

4: ANANTA SONOWAL  
S/O. SRI NANDESWAR SONOWAL  
VILL. GORAIMARI (GAON)  
P.O. CHAMARJAN  
P.S. AND DIST. DHEMAJI  
ASSAM  
PIN-787057.  
VERSUS

THE STATE OF ASSAM AND 6 ORS  
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM  
HOME DEPTT.  
DISPUR  
GUWAHATI-06.



2:THE CHAIRMAN

STATE LEVEL RECRUITMENT BOARD  
ASSAM  
REHABARI  
GUWAHATI-08.

3:THE DIRECTOR GENERAL OF POLICE

ASSAM  
ULUBARI  
GUWAHATI-07.

4:THE DIRECTOR GENERAL OF HOME GUARDS

ASSAM  
BELTOLA  
GUWAHATI-28.

5:THE DISTRICT COMMANDANT

HOME GUARD  
DHEMAJI  
P.O. AND DIST. DHEMAJI  
PIN-787057.

6:THE SUPDT. OF POLICE

DHEMAJI  
P.O. AND DIST. DHEMAJI  
PIN-787057.

7:THE SUPDT. OF POLICE

DIMA HASAO DISTRICT  
HAFLONG  
P.O. AND P.S. HAFLONG  
PIN-788819.

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Advocate for : MR R ISLAM

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 6 ORS

Linked Case : WP(C)/4156/2022

SAHANUR ALI  
S/O OMAR ALI  
R/O VILL-DUMARDAHA PT-III  
P.O.-BALAJAN  
P.S.-GOLOKGANJ  
DIST-DHUBRI

ASSAM  
PIN-

VERSUS

THE STATE OF ASSAM AND 2 ORS  
THROUGH THE COMMISSIONER AND SECRETARY TO THE GOVT. OF  
ASSAM  
HOME AND POLITICAL AFFAIRS DEPARTMENT  
DIPUR  
GUWAHATI

2:THE DIRECTOR GENERAL OF POLICE  
ASSAM  
ULUBARI  
GUWAHATI-07

3:THE CHAIRMAN  
STATE LEVEL POLICE RECRUITMENT BOARD  
ASSAM  
REHABARI  
GUWAHATI-8  
APHC  
BUILDING

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Advocate for : MR S DAS

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : WP(C)/3968/2022

LIKHESWAR HANDIQUE AND 2 ORS  
S/O LATE GHANIRAM HANDIQUE  
R/O VILL-GARAIMARI  
P.O.-TETUNBARI  
DIST- BISWANATH  
ASSAM-784171

2: GOBINDO SARKAR  
S/O LATE BROJA BASI SARKAR  
R/O VILL-GARBHITA  
P.O.-BISWANATH  
ASSAM-784177

3: KESHOB DAS  
S/O SRI JONARAM DAS

R/O VILL-GHIMORUJAN  
P.O.-BALIJAN  
DIST-BISWANATH  
ASSAM-784172  
VERSUS

THE STATE OF ASSAM AND 7 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
DEPARTMENT OF HOME  
DISPUR  
GUWAHATI-06

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

3:CHAIRMAN  
STATE LEVEL POLICE RECRUITMENT BOARD  
MADHABDEVPUR  
REHABARI  
GUWAHATI-781008

4:THE SUPERINTENDENT OF POLICE  
OFFICE OF THE SUPERINTENDENT OF POLICE  
NAGAON  
ASSAM

5:SAMSUL HOQUE  
NOTICE WILL BE SERVED THROUGH THE OFFICE OF THE  
SUPERINTENDENT OF POLICE  
NAGAON

6:RAHIM UDDIN SHAK  
NOTICE WILL BE SERVED THROUGH THE OFFICE OF THE  
SUPERINTENDENT OF POLICE  
NAGAON

7:SHIRAJUL HOQUE  
NOTICE WILL BE SERVED THROUGH THE OFFICE OF THE  
SUPERINTENDENT OF POLICE  
NAGAON

8:JABED ALI  
NOTICE WILL BE SERVED THROUGH THE OFFICE OF THE  
SUPERINTENDENT OF POLICE  
NAGAON

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Advocate for : MR. R MAZUMDAR  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 7 ORS

Linked Case : WP(C)/4791/2022

KHWMSHI BASUMATARY  
S/O- LATE SADANANDA BASUMATARY

VILL- DHUPGURI  
P.O- LANGHIN TINIALI

P.S- DOKMOKA  
DIST- KARBI ANGLONG  
ASSAM  
PIN-782441

VERSUS

THE STATE OF ASSAM AND 6 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM  
HOME DEPARTMENT  
DISPUR  
GUWAHATI-6.

2:THE CHAIRMAN  
STATE LEVEL RECRUITMENT BOARD  
ASSAM  
REHABARI  
GUWAHATI-8.

3:THE DIRECTOR GENERAL OF POLICE

ASSAM  
ULUBARI  
GUWAHATI-7.

4:THE DIRECTOR GENERAL OF HOME GUARDS

ASSAM  
BELTOLA  
GUWAHATI-28.

5:THE DISTRICT COMMANDANT

HOME GUARD  
KARBI ANGLONG  
P.O. AND DIST. KARBI ANGLONG  
PIN- 782441

6:THE SUPERINTENDENT OF POLICE  
KARBI ANGLONG  
P.O. AND DIST. KARBI ANGLONG

PIN- 782441.  
7:THE SUPERINTENDENT OF POLICE  
DIMA HASAO DISTRICT  
HAFLONG  
P.O. AND DIST. HAFLONG  
PIN- 788819.

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Advocate for : MR R ISLAM  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 6 ORS

Linked Case : WP(C)/3901/2022

UMESH CHOUDHURI AND 3 ORS  
S/O- SRI SUKURU CHOUDHURI  
VILL. SAONAGAON  
P.O. MULAGAON  
P.S. AND DIST.- BONGAIGAON  
ASSAM  
PIN- 783380.

2: NIRMAL NR. DEV  
S/O. LATE SAMARENDRA NR. DEV  
VILL. AND P.O. KHAGARPUR  
P.S. ABHAYAPURI  
DIST.- BONGAIGAON  
ASSAM  
PIN- 783383.

3: MANSER ALI  
S/O- KALIMUDDIN  
VILL. NO. 2 JARAGURI  
P.O. SIDALSATI  
P.S. MANIK PUR  
DIST.- BONGAIGAON  
ASSAM  
PIN- 783383.

4: RANJIT KR. RAY  
S/O- JOGEN CH. RAY  
VILL. BONIGAON  
P.O. AND P.S. ABHAYAPURI  
DIST.- BONGAIGAON  
ASSAM  
PIN- 783384.  
VERSUS

THE STATE OF ASSAM AND 6 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM  
HOME DEPARTMENT  
DISPUR  
GUWAHATI-6.

2:THE CHAIRMAN  
STATE LEVEL RECRUITMENT BOARD  
ASSAM  
REHABARI  
GUWAHATI-8.

3:THE DIRECTOR GENERAL OF POLICE  
ASSAM  
ULUBARI  
GUWAHATI-7.

4:THE DIRECTOR GENERAL OF HOME GUARDS  
ASSAM  
BELTOLA  
GUWAHATI-28.

5:THE DISTRICT COMMANDANT  
HOME GUARD  
BONGAIGAON  
P.O.

P.S. AND DIST. BONGAIGAON  
PIN- 783380.

6:THE SUPERINTENDENT OF POLICE  
BONGAIGAON  
P.O. AND DIST.- BONGAIGAON  
PIN- 783380.

7:THE SUPERINTENDENT OF POLICE  
DIMA HASAO DISTRICT  
HAFLONG  
P.O. AND P.S. HAFLONG  
PIN- 788819.

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Advocate for : MR R ISLAM  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 6 ORS

Linked Case : WP(C)/4151/2022

JIBON TAYE AND ANR.  
S/O BASANTA TAYE  
VILL-SOGUN PARA

P.O.-BORMATHAURI  
P.S.-TEOK  
DIST-JORHAT  
ASSAM  
PIN-785112

2: AJOY NARAH  
S/O UPEN NARAH  
VILL- 1 NO. BARIGAON  
P.O.-1 NO. BORGAYAN  
DIST-MAJULI  
ASSAM  
PIN-785104  
VERSUS

THE STATE OF ASSAM AND 6 ORS.  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM  
HOME DEPARTMENT  
DISPUR  
GUWAHATI-6

2:THE CHAIRMAN  
STATE LEVEL RECRUITMENT BOARD  
ASSAM  
REHABARI  
GUWAHATI-8

3:THE DIRECTOR GENERAL OF POLICE  
ASSAM  
ULUBARI  
GUWAHATI-7

4:THE DIRECTOR GENERAL OF HOME GUARDS  
ASSAM  
BELTOLA  
GUWAHATI-28

5:THE DISTRICT COMMANDANT  
HOME GUARD  
JORHAT

P.O. AND DIST-JORHAT  
PIN-785001

6:THE SUPERINTENDENT OF POLICE  
JORHAT

P.O. AND DIST-JORHAT  
PIN-785001

7:THE SUPERINTENDENT OF POLICE  
DIMA HASAO DISTRICT  
HAFLONG  
P.O. AND P.S.-HAFLONG

PIN-788819

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Advocate for : MR R ISLAM

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 6 ORS.

Linked Case : WP(C)/4146/2022

MISOR UDDIN SK

S/O- KAYSAR ALI

R/O- VILLAGE AND P.O- TISTAPAR

P.S- DHUBRI

DIST- DHUBRI

ASSAM

VERSUS

THE STATE OF ASSAM AND 2 ORS

THROUGH THE COMMISSIONER AND SECRETARY TO THE GOVT. OF  
ASSAM

HOME AND POLITICAL AFFAIRS DEPARTMENT

DISPUR

GUWAHATI-781006

KAMRUP (M)

ASSAM.

2:THE DIRECTOR GENERAL OF POLICE

ASSAM

POLICE HEADQUARTER

ULUBARI

GUWAHATI

781007

ASSAM.

3:THE CHAIRMAN

STATE LEVEL POLICE RECRUITMENT BOARD

ASSAM

REHABARI

GUWAHATI

APHC BUILDING

PIN-781008

ASSAM.

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Advocate for : MR S DAS



Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : WP(C)/5425/2022

MD. AMIJUL HOQUE  
S/O MD AHMED ALI

VILL- BOLODONGA

P.O.- SAKOMATHA

P.S.- BISWANTHA CHARIALI

DIST.- SONITPUR  
PIN- 784176.

VERSUS

THE STATE OF ASSAM AND 5 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM  
HOME DEPARTMENT  
DISPUR  
GUWAHATI- 781005.

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

3:THE DIRECTOR GENERAL OF CIVIL DEFENCE (D.G.C.D.) AND  
COMMANDANT GENERAL OF HOME GUARDS (C.G.H.G.)  
ASSAM  
BELTOLA  
GUWAHATI- 781028.

4:STATE LEVEL POLICE RECRUITMENT BOARD  
ASSAM  
REPRESENTED BY THE CHAIRMAN  
(S.L.P.R.) BOARD ASSAM  
REHABARI  
GUWAHATI- 781008.

5:THE SUPERINTENDENT OF POLICE  
SONITPUR  
TEZPUR- 784001.

6:THE COMMANDANT OF 12 AP.BN.

JAMUGURIHAT  
SONITPUR- 784180.

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Advocate for : MD. M H CHOUDHURY  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 5 ORS

Linked Case : WP(C)/3848/2022

RABINDRA BARMAN AND ANR  
S/O. DARGA RAM BARMAN  
VILL. AKLASALBARI  
P.O. SIMLABARI  
P.S. LAKHIPUR  
DIST. GOALPARA  
ASSAM  
PIN-783330.

2: MAHANTA KR. RABHA  
S/O. RABIN RABHA  
VILL. GOHABORI  
P.O. DHANUBHANGA  
P.S. CHUPDHARA  
DIST. GOALPARA  
ASSAM  
PIN-783130.  
VERSUS

THE STATE OF ASSAM AND 6 ORS  
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM  
HOME DEPTT.  
DISPUR  
GUWAHATI-06.

2:THE CHAIRMAN

STATE LEVEL RECRUITMENT BOARD  
ASSAM  
REHABARI  
GUWAHATI-08.

3:THE DIRECTOR GENERAL OF POLICE

ASSAM  
ULUBARI  
GUWAHATI-07.

4:THE DIRECTOR GENERAL OF HOME GUARDS

ASSAM  
BELTOLA  
GUWAHATI-28.  
5:THE DISTRICT COMMANDANT

HOME GUARD  
GOALPARA  
P.O. AND P.S. GOALPARA  
DIST. GOALPARA  
PIN-783101.  
6:THE SUPDT. OF POLICE

GOALPARA  
P.O. AND P.S. GOALPARA  
DIST. GOALPARA  
PIN-783101.  
7:THE SUPDT. OF POLICE

DIMA HASAO DISTRICT  
HAFLONG  
P.O. AND P.S. HAFLONG  
PIN-788819.

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Advocate for : MR R ISLAM  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 6 ORS

**BEFORE  
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

**ORDER**

**10.05.2024**

The common grievance raised in this bunch of writ petitions is in connection with a recruitment process for filling up the post of Constables under the Assam Industrial Security Force (AISF).

2. The facts projected, bereft of details are that the petitioners were initially appointed as Home Guards and thereafter as Special Police Officers (SPOs) by following the due process of law. However, their tenure as Special Police Officers

was for a particular period and their services were discontinued. To give such persons, who were earlier SPOs, an opportunity of public employment commensurate to their experience, a recruitment process was initiated vide an advertisement dated 13.12.2017 by the State Level Police Recruitment Board, Assam for appointment as Constable in the AISF. The petitioners claimed to have participated in the said recruitment process consisting of Physical Efficiency Test (PET), Written Examination and Viva-Voce in the respective Battalions in the concerned districts. In the said written test, the petitioners claimed to have fared well. However, when the select list was published, their names did not figure in the said select list.

3. The contention of the petitioners are that due marks have not been given for the period of service rendered by them either as Home Guards or SPOs. It is also contended that the marks allotted are not of uniform in nature and had differed from district to district as a result of which the petitioners are left out.

4. I have heard Shri MK Choudhury; Shri R. Islam; Shri D. Deka, Shri S. Das; Shri R. Mazumdar and Shri LR Mazumdar, learned counsel appearing for the petitioner in these cases. I have also heard Shri TC Chutia, learned Additional Senior Government Advocate, Assam.

5. The primary contention of the petitioners, as observed above, is not following a uniform pattern in allotting marks for the period of services rendered either as Home Guards or Special Police Officers. The aforesaid contention made on behalf of the petitioners has not been disputed in principle by Shri Chutia, learned Additional Senior Government Advocate. The aforesaid controversy is mainly related to certain certificates which have not specified the duration of the services rendered and so far as the district of Kokrajhar is concerned, 2(two) marks have been allotted for such Certificates whereas in other districts less

marks / no marks have been given. There is a general consensus amongst the learned counsel for the parties that the practice of allotting 2(two) marks for Certificates wherein the duration of service has not been specified, as done in the district of Kokrajhar can be taken as standard marking and accordingly a review exercise be made so far as the case of the petitioners are concerned.

6. This Court is of the considered opinion that the aforesaid consensus would serve the interest of justice inasmuch as, some of the petitioners contend that they have missed the cut-off marks by a very less margin.

7. In view of the above, the cases of the petitioners are directed to be reconsidered by allotting two marks for such certificates wherein the period of service either as Home Guards or SPOs has not been specified in the respective Certificates and if it is found that the petitioners are within the zone of consideration and have secured more than the cut-off marks secured by the last appointed candidate, the benefit of appointment should be given to them.

8. Shri Chutia, learned State Counsel has also taken instructions that some vacancies are existing wherein the cases of these petitioners who secure more than the cut off marks can be considered.

9. Let the aforesaid exercise be undertaken and completed within a period of 2(two) months from today and consequential action for affording appointment to those candidates who secure more than the cut off marks be made expeditiously thereafter.

10. In view of the aforesaid direction, these writ petitions are disposed of.

**JUDGE**

**Comparing Assistant**