GAHC010216372019

2026:GAU-AS:16315

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

Case No. : WP(C)/6668/2019

THUBUR SUN SWARGOWARI
S/O- TARUN SARGOWARI, VILL. BENGBARI, P.O. BENGBARI, P.S. HARISINGA, DIST. UDALGURI, BTAD (ASSAM), PIN- 784523.

VERSUS

THE STATE OF ASSAM AND 5 ORS.
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM, HIGHER EDUCATION DEPTT., DISPUR, GUWAHATI-6.

2:THE DIRECTOR OF HIGHER EDUCATION
ASSAM
KAHILIPARA
GUWAHATI- 781019.

3:PRINCIPAL SECRETARY
BTC
KOKRAJHAR

4:THE DIRECTOR OF EDUCATION
BTC
KOKRAJHAR.

5:THE PRINCIPAL
TANGLA COLLEGE
TANGLA
BTC (BTAD)
PIN- 784521.

6:THE STATE PUBLIC INFORMATION OFFICER
TANGLA COLLEGE
TANGLA

BTC
ASSAM
PIN- 784523

Advocate for the Petitioner : MS. M DAS,

Advocate for the Respondent : SC, HIGHER EDU, MR R S CHAUHAN,SC, BTC

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 06-11-2026

There is no representation on behalf of the petitioner today on call. Whereas Mr. A.R. Tahbildar, learned Standing Counsel, Higher Education Department for the respondent nos. 1 & 2; Mr. B.C. Mushahary, learned Standing Counsel, BTC for the respondent nos. 3 & 4; and Mr. R.S. Chauhan, learned counsel for the respondent nos. 5 & 6 are present.

2. There was an Advertisement dated 19.02.2016 published by the respondent no. 5, whereby applications were invited from intending eligible candidates for filling up vacancy in the post of Assistant Professor in Banking/Finance in Tangla College, Tangla. The petitioner is a Post-Graduate in Commerce with NET qualification. In response to the Advertisement dated 19.02.2016, the petitioner submitted his candidature for the post of Assistant Professor in Banking/Finance. The respondent no. 5 issued an Admit Card to the petitioner calling for his appearance in an interview scheduled on 12.01.2017. According to the petitioner, he appeared in the interview and fared well and therefore, he had expectation that he would be selected for the post of Assistant Professor in Banking/Finance in Tangla College, Tangla. The petitione

had alleged that the process of selection initiated by the Advertisement dated 19.02.2016 was not brought to any finality. Notwithstanding that, the respondent no. 5 issued a fresh Advertisement on 21.08.2019 for filling up the same post of Assistant Professor in Banking in Tangla College, Tangla.

3. The selection process initiated by the Advertisement dated 21.08.2019 was brought to finality resulting in issuance of an Order of Appointment dated 12.12.2019 in favour of one Sultan Shamim Ahmed. By the Order of Appointment dated 12.12.2019, Sultan Shamim Ahmed came to be appointed as the Assistant Professor in Banking in Tangla College, Tangla.

4. This writ petition is preferred seeking setting aside and quashing of the Advertisement dated 21.08.2019 without laying any challenge to the Order of Appointment dated 12.12.2019 on the ground that the process of selection initiated by the Advertisement dated 19.02.2016 should have been brought to a logical conclusion.

5. The learned counsel for the respondents have submitted that as the Order of Appointment dated 12.12.2019 is not under challenge in this writ petition, the writ petition is not maintainable. Be that as it may.

6. Though initially, an interim order was passed on 06.09.2019, the said interim order was vacated by an Order dated 25.09.2026 as it has been canvassed on behalf of the respondent no. 5 that the Advertisement dated 19.02.2016 was for the post of Assistant Professor in Banking / Finance and the Advertisement dated 21.08.2019 was for two different posts of Assistant Professor in Commerce namely, one of Finance and the other for Accountancy and also, that the recruitment process initiated by the Advertisement dated

19.02.2016 had already been culminated in an order of appointment, no issue has survived in respect of the recruitment process initiated by the Advertisement dated 19.02.2016.

7. Having regard to the afore-mentioned fact situation and the fact that there is no representation on behalf of the petitioner today on call, this Court is persuaded to take a view that the petitioner is no longer interested to pursue the writ petition. Therefore, the writ petition is dismissed for non-prosecution.

JUDGE

Comparing Assistant