

GAHC010004682026



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

Case No. : WP(C)/209/2026

MD ANWAR HUSSAIN
S/O- LATE HAFIZ ABDUR ROUF RESIDENT OF- VILLAGE- KABARIBOND,
P.O.- PATHERKANDI, P.S.- PATHERKANDI DISTRICT- SRIBHUMI, ASSAM
PIN-788724

VERSUS

THE STATE OF ASSAM AND OTHERS
TO BE REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF
ASSAM, DEPARTMENT OF SCHOOL EDUCATION, JANATA BHAWAN
ASSAM SECRETARIAT COMPLEX, DISPUR, GUWAHATI- 781006

2:THE DIRECTOR OF SECONDARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-781019

3:THE INSPECTOR OF SCHOOLS
SRIBHUMI DISTRICT CIRCLE
SRIBHUMI
ASSA

Advocate for the Petitioner : MR N Z CHOUDHURY, MR N A MAZARBHUIYA,S
LASKAR,MR. A R BHUYAN

Advocate for the Respondent : SC, SEC. EDU.,

BEFORE

HON'BLE MR. JUSTICE NELSON SAILO

O R D E R

09.01.2026

Heard Mr. A.R. Bhuyan, learned counsel for the petitioner, who

submits that by filing this writ petition, the petitioner has challenged the order dated 18.07.2025 (Annexure-11) by which he has been placed under suspension. Learned counsel for the petitioner submits that the suspension order has not been reviewed and therefore, the prolonged suspension of the petitioner is in violation of the laid down principles by the Apex Court. He further submits that the petitioner was arrested on account of certain allegations in a criminal case and thereafter he has been released on bail. Further, charge-sheet has already been submitted and the matter is sent for trial. Despite the same, the petitioner is still under suspension.

In view of above, issue notice of motion returnable by 17.02.2026.

Ms. P. Das, learned Standing Counsel, Secondary Education Department accepts notice on behalf of all the respondents. Notice is therefore complete.

Petitioner to furnish requisite extra copies of the writ petition to the learned standing counsel for the respondents within two working days.

List the matter on 17.02.2026.

On the next date, the learned Standing Counsel, Secondary Education Department shall obtain instructions as to whether the suspension of the petitioner has been reviewed or not as mandated by law.

JUDGE

Comparing Assistant