

GAHC010005702024



2026:GAU-AS:6084

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

Case No. : WP(C)/157/2024

NARAYAN THAKURIA
S/O LATE RAJEN THAKURIA, R/O VILL- LAMPARA, P.O.-BIRPARA, P.S.-
BOKO, DIST- KAMRUP (R), ASSAM, PIN-781123

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, ELEMENTARY EDUCATION, DISPUR,
GUWAHATI-781006

2:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-781006

3:THE DIRECTOR
ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-781019

4:THE DISTRICT ELEMENTARY EDUCATION OFFICER (DEEO)
DIST-KAMRUP (R)
ASSAM

5:THE BLOCK ELEMENTARY EDUCATION OFFICER (BEEO)
BOKO
DIST- KAMRUP (R)
ASSA

Advocate for the Petitioner : MR T H HAZARIKA, MR A RASHID,MR M CHETIA

Advocate for the Respondent : SC, ELEM. EDU, SC, FINANCE

BEFORE
HON'BLE MR. JUSTICE NELSON SAILO
O R D E R

05.05.2026

Heard Mr. M. Chetia, learned counsel for the petitioner and Mr. P.K. Borah, learned Standing Counsel, Elementary Education Department appearing for the respondents. Having regard to the nature of grievance projected by the petitioner, the writ petition is taken up for disposal at this stage.

2. It is the case of the petitioner that he was appointed as an Assistant Teacher at Nisinpur Primary School under Boko Block in the district of Kamrup (Rural), Assam on 18.01.1993. On account of certain allegations, the petitioner was placed under suspension vide order dated 20.10.2009. Be it stated herein that the petitioner was placed under suspension on account of his involvement in a criminal case and for which he was arrested. Subsequently, the petitioner was reinstated back into service vide order dated 08.06.2015 and he was also acquitted from the charges in the criminal case by the Court of Judicial Magistrate 1st Class, Boko, vide judgment dated 18.02.2021 passed in G.R Case No.6976/2009. The Director of Elementary Education, Assam thereafter vide order dated 22.02.2022, in view of the acquittal of the petitioner in the criminal case, regularized the period of his suspension and also dropped the departmental proceeding against him.

3. The petitioner contends that he has not received his salary from the month of October, 2009 to the month of January, 2022 and the arrear amount comes to Rs.24,26,093/-, which was duly served by the Block

Elementary Education Officer, Boko by issuing a certificate to that effect. The said certificate has also been countersigned by the Treasury Officer, Kamrup District Treasury, Amingaon, Guwahati. It is however, seen that a similar certificate has been issued by the same Block Elementary Education Officer, Boko wherein the amount receivable by the petitioner as arrear is Rs.24,25,055/-. Be that as it may, the fact that the petitioner has been reinstated from his suspension and that his suspension period has been regularized cannot be in dispute. The writ petition was filed by the petitioner on 09.01.2024, but till date there is no response from the respondent authorities by filing counter affidavit.

4. Such being the position, this Court finds that instead of keeping the matter pending before this Court, the same should be disposed of by directing the respondent authorities to verify the amount receivable by the petitioner as arrear salary and thereafter, pay him the same without further delay.

5. Such an exercise should be done by all the respondents concerned within a period of three months from the date of receipt of a certified copy of this order.

6. It is ordered accordingly.

7. The writ petition stands disposed of.

JUDGE

Comparing Assistant