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

Case No. : WP(C)/249/2025

ABDUL BARIK AND ANR
S/O- LATE ABDUL KUDDUS SARKAR ,
R/O- VILLAGE OUDUBI PART -II,
P.O- KHELUAPARA, P.S- JOGIGHOPA, DIST- BONGAIGAON, ASSAM, PIN-
783371

2: MOTIOR RAHMAN
S/O- LATE MOHAMMAD ALI
R/O- VILLAGE KABAITARY
PART -IV
P.O AND
P.S- JOGIGHOPA
DIST- BONGAIGAON
ASSAM
PIN-78337

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, DEPARTMENT OF ELEMENTARY EDUCATION, DISPUR
GUWAHATI-06

2:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM KAHILIPARA
GUWAHATI -19
DIST KAMRUP M ASSAM

3:THE DISTRICT ELEMENTARY EDUCATION OFFICER
BONGAIGAON
PIN-783380 ASSAM

4:THE TREASURY OFFICER
BONGAIGAON ASSAM PIN-78338

Advocate for the Petitioner : MR. Y S MANNAN, MS R BEGAM

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

**BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

ORDER

Date : 22.01.2025

Heard Mr. Y. S. Mannan, learned counsel for the petitioners, who submits that the impugned order dated 30.01.2021 issued by the respondent No. 3, giving prospective effect to the appointment of the petitioners as Tutors w.e.f. 01.11.2020, should be set aside and the respondent authorities should be directed to pay the arrear salaries of the petitioners as Assistant Teachers, w.e.f., June, 1994 to October, 2020.

The petitioners' case is that they were appointed as Assistant Teachers, vide letters dated 28.02.1994. However, their salaries were stopped after May, 1994. Various writ petitions were filed and a One Man Monoharan Committee was also constituted for enquiring into the issue raised by the petitioners herein and another 2276 Teachers, who were appointed on similar lines between 01.03.1991 to 30.11.1996. The issue was finally settled, vide the impugned order 30.01.2021.

The petitioners' counsel submits that the only grievance of the petitioners is with regard to the prospective effect given in the impugned order dated 30.01.2021 w.e.f. 01.11.2020 and not being given arrear salaries.

Issue notice, returnable in four weeks.

Mr. A. Phukan, learned counsel accepts notice on behalf of the respondent Nos. 1, 2 & 3 and Mr. B. Gogoi, learned counsel accepts notice on behalf of the respondent No. 4.

List this matter along with WP(C) 5466/2024 after **4 (four) weeks** to enable the respondents' counsel to obtain instructions and to file affidavit, if necessary.

JUDGE

Comparing Assistant