

GAHC010006472024



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

Case No. : WP(C)/132/2024

MANIK DEKA
S/O- LATE RAMANI DEKA,
R/O- VILLAGE BANGAON,
P.O- BANAGRAM, P.S- BELSOR, DIST- NALBARI, ASSAM, PIN-781303

VERSUS

THE STATE OF ASSAM AND 10 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,
SCHOOL EDUCATION DEPARTMENT, DISPUR, GUWAHATI-781006

2:THE DIRECTOR

OF SECONDARY EDUCATION
ASSAM

KAHILIPARA
GUWAHATI-781019

3:THE DIRECTOR
OF ELEMENTARY EDUCATION

ASSAM

KAHILIPARA
GUWAHATI-781019

4:THE MISSION DIRECTOR

AXOM SARBA SIKSHA ABHIYAN MISSION
KAHILIPARA
GUWAHATI-19

5:THE DEPUTY COMMISSIONER
P.O AND DIST- NALBARI
PIN-781335

6:THE INSPECTOR OF SCHOOLS
NALBARI

VILL AND P.O- NALBARI
ASSAM
PIN-781335

7:THE DISTRICT ELEMENTARY EDUCATION OFFICER

CUM DISTRICT MISSION COORDINATOR
SSA
NALBARI

P.O AND P.S- NALBARI
ASSAM
PIN-781335

8:THE DEPUTY INSPECTOR OF SCHOOLS
NALBARI

P.O AND DIST- NALBARI
ASSAM
PIN-781335

9:THE BLOCK ELEMENTARY EDUCATION OFFICER
BARKHETRI CUM BLOCK MISSION COORDINATOR

VILL AND P.O- MUKALMUA

DIST- NALBARI
ASSAM
PIN-781126

10:THE PRINCIPAL
BANGAON HIGHER SECONDARY SCHOOL
NALBARI
PIN-781375

11:NIRANJAN SARMA
S/O- LATE MANORANJAN SARMA

C/O- PRINCIPAL BANGAON HIGHER SECONDARY SCHOOL
NALBARI

PIN-78137

Advocate for the Petitioner : MR. I H SAIKIA

Advocate for the Respondent : SC, SEC. EDU.

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

12.01.2024

Heard Mr. I.H. Saikia, learned counsel for the petitioner. Also heard Mr. N.J. Khataniar, learned Standing Counsel, Secondary Education Department and Ms. M. Bhattacharjee, learned Addl. Sr. Government Advocate for the respondent No. 5.

The petitioner is aggrieved by the order dated 08.08.2023 whereby he was transferred from Bangaon Higher Secondary School to Peradhara Higher Secondary School as a Graduate Teacher (Science). It is the submission of the learned counsel for the petitioner that he was never appointed as a Graduate Teacher (Science) and nor has he ever worked as a Graduate Teacher (Science), therefore, this order ought not to have been issued to the petitioner posting him as a Graduate Teacher.

Mr. N.J. Khataniar, learned Standing Counsel, Secondary Education will take required instructions in the matter.

Extra copies of the writ petition be furnished to the respective standing counsel including Ms. P. Das, learned counsel for the SSA.

Let the matter be listed again on 02.02.2024.

JUDGE

Comparing Assistant