

GAHC010010482017



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

Case No. : Cont.Cas(C)/18/2017

RABISON KONWAR and 9 ORS.
ASSTT. TEACHER, KHUBALIA L.P. SCHOOL, DHEMAJI, DIST. DHEMAJI,
PIN-787057, ASSAM.

2: SMT. PURABI BORGOHAIN

ASSTT. TEACHER
KAPAHUWA L.P. SCHOOL
DHEMAJI
DIST. DHEMAJI
PIN-787057
ASSAM.

3: SMT. BIMALA BAILUNG

ASSTT. TEACHER
KHUBALIA L.P. SCHOOL
DHEMAJI
DIST. DHEMAJI
PIN-787057
ASSAM.

4: SMT. URMILA GOHAIN

ASSTT. TEACHER
HILOIDARY L.P. SCHOOL
DHEMAJI
DIST. DHEMAJI
PIN-787057
ASSAM.

5: SMT. RINKU HANDIQUE

ASSTT. TEACHER

BARPATORIA L.P. SCHOOL
DHEMAJI
DIST. DHEMAJI
PIN-787057
ASSAM.

6: SMT. AMIYA HATIBARUAH

ASSTT. TEACHER
KAPAHUWA L.P. SCHOOL
DHEMAJI
DIST. DHEMAJI
PIN-787057
ASSAM.

7: REBAT GHARPHALIA

ASSTT. TEACHER
BARPATORIA L.P. SCHOOL
DHEMAJI
DIST. DHEMAJI
PIN-787057
ASSAM.

8: SMT. DIPIKA BHUYAN

ASSTT. TEACHER
KENDUGURI L.P. SCHOOL
DHEMAJI
DIST. DHEMAJI
PIN-787057
ASSAM.

9: SMT. BANTI DIHINGIA

ASSTT. TEACHER
NAGAKHELIA L.P. SCHOOL
DHEMAJI
DIST. DHEMAJI
PIN-787057
ASSAM.

10: SMT. RUPA SENAPATI

ASSTT. TEACHER
KARICHUK L.P. SCHOOL
DHEMAJI
DIST. DHEMAJI

PIN-787057
ASSAM

VERSUS

PREETOM SAIKIA and Ors.
THE COMMISSIONER and SECY. TO THE GOVT. OF ASSAM, EDUCATION
ELEMENTARY DEPTT., SACHIVALAYA, DISPUR, GHY.-781006, ASSAM.

2:SRI SANJIB KR. BHUYAN

THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GHY.-781019
ASSAM.

3:SMT. NIRADA DOLEY PEGU

THE DIST. ELEMENTARY EDUCATION OFFICER CUM DEPUTY INSPECTOR
OF SCHOOLS I/C.
DHEMAJI
DIST. DHEMAJI
PIN-78705
ASSAM.

4:SHRI NARAYAN KONWAR
THE SECRETARY TO THE GOVERNMENT OF ASSAM
ELEMENTARY EDUCATION DEPARTMENT
DISPUR
GUWAHATI-781006
ASSAM.

5:SHRI JAYANT NARLIKAR
THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-6.

6:SMTI. SURANJANA SENAPATI
THE DIRECTOR OF ELEMENTARY EDUCATION
KAHILIPARA
GUWAHATI-781019
KAMRUP (M)
ASSAM.

7:SMTI. KABITA DEKA
THE DISTRICT ELEMENTARY EDUCATION OFFICER CUM DEPUTY

INSPECTOR OF SCHOOLS (I/C)
DHEMAJI
PIN-787057
DIST.-DHEMAJI
ASSAM

Advocate for the Petitioner : MR.N N B CHOUDHURY, MR.A GOHAIN

Advocate for the Respondent : MR.S M T CHISTIER , MS. S CHUTIA(R6),MR. P K BORAH(R6),MR P NAYAK(R-5),MR A CHALIHA(R-5),MR. B GOGOI(R-5),R M BAROOAH(R-5),MR.D SAIKIA(R-1),MS.K DAS(R-1)

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

09.02.2026

Heard Mr. A. Gohain, learned counsel for the petitioners.

The present petition is filed alleging willful violation of this Court's common judgment and order dated 19.05.2016 passed in WP(C) No. 5525/2007 and other similarly connected cases.

By the aforesaid order, the respondents were directed to take steps for payment of salaries to some of the petitioners w.e.f. August 2007 and to some of the petitioners w.e.f. October, 2007.

Mr. S. M. T. Chistie, learned Standing Counsel, Elementary Education Department representing all the respondents, on instruction, submits that the petitioners along with the similar persons were subjected to a Screening process so far relating to the legality of their entry into the service itself. Accordingly, all the petitioners were found to be irregularly appointed and thereafter, fresh appointment orders were issued to them with a condition that they cannot claim the arrears of salary. All the petitioners are getting

their regular salaries.

Some others, who were also found to be irregular appointees, however, during the screening process, attained the age of 60 years, and therefore, no appointment orders could have been issued to them.

Mr. Gohain, learned counsel for the petitioners submits that the instruction produced by Mr. Chistie, learned Standing Counsel, Elementary Education Department, may also be furnished to him, so that, he can complete his instruction and file any affidavit, if so required.

At this stage, Mr. Chistie, learned Standing Counsel, Elementary Education Department submits that in similar circumstances, the contempt petitions have already been closed and he will produce such orders on the next date fixed.

Accordingly, he prays for an adjournment. Prayer stands allowed.

Mr. Chistie, learned Standing Counsel, Elementary Education Department, shall file an affidavit bringing this instruction on record.

A copy of the instruction 07.02.2026, issued by the Director i/c of Directorate of Elementary Education Assam, be furnished to Mr. Gohain, learned counsel for the petitioners.

List this matter again on 25.02.2026.

JUDGE

Comparing Assistant