

GAHC010013582024



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

**Case No. : WP(C)/405/2024**

MAZIDA KHATUN  
W/O NUR HUSSAIN, R/O VILL-KADAMONI PATHAR, P.O.-KADAMONI, P.S.-  
BATADRAVA, PIN-782122, DIST-NAGAON, ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM, EDUCATION (ELEMENTARY) DEPARTMENT, DISPUR,  
GUWAHATI-6

2:THE DIRECTOR  
ELEMENTARY EDUCATION DEPARTMENT  
ASSAM  
KAHILIPARA  
GUWAHATI-19

3:THE DISTRICT ELEMENTARY EDUCATION OFFICER  
NAGAON  
ASSAM

4:THE BLOCK ELEMENTARY EDUCATION OFFICER  
BATADRAVA  
NAGAON  
ASSAM

5:JAKIR HUSSAIN  
S/O TAYAB ALI  
R/O KADAMONI PATHAR  
P.O.-KADAMONI  
P.S.-BATADRAVA  
PIN-782122

DIST- NAGAON  
ASSA

**Advocate for the Petitioner** : MR. A SARMA

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

**BEFORE  
HONOURABLE MR. JUSTICE SUMAN SHYAM**

**ORDER**

**Date : 29/01/2024**

Heard Mr.A. Sarma, learned counsel for the writ petitioner.

Assailing the selection of the respondent no. 5 for appointment as the President of the Managing Committee of No. 1 Kadamoni Pathar Balika Muktab School on the ground that he was not eligible under *Rule 13(1)(ii)(b) of Assam Right of Children to Free and Compulsory Education Rules, 2011*, for appointment as President of the Managing Committee of the School since his ward is not a student of that school, Mr.Sarma has prayed for setting aside the selection and approval of the authorities for appointment of the private respondent, as aforesaid.

Ms. S. Konwar, learned Standing Counsel, Primary School Education Department, Assam, prays for time till 05/02/2024 to obtain preliminary instruction as to the allegations made in the writ petition and address the Court.

On the prayer of Ms. S. Konwar, learned departmental counsel, list the matter for motion again on 05/02/2024, as a fixed item.

Two extra copies of the writ petition be furnished to the learned departmental counsel during the course of the day.

**JUDGE**

*sukhamay*

**Comparing Assistant**