GAHC010014172023

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

Case No. : WP(C)/626/2023

PREMANANDA RAY AND 119 ORS
S/O- DHANIRAM RAY,
VILL- SIMLAGURI,
P.O.- BALLAMGURI, DIST.- CHIRANG,
ASSAM.

2: NARESWAR PATOWARY
S/O- LT. CHAKRA PATOWARY

VILL.- MAJGARI
P.O.- KACHUKATA

DIST. BAKSA
ASSAM.

3: UTPAL ADHIKARY
S/O- LT. BIRENDRA ADHIKARY

VILL. DEBARGAON

P.O.- SERFANGURI
DIST.- CHIRANG

ASSAM.

4: DADHIRAM BASUMATARY
S/O- LT. PRANSWAR BASUMATARY

VILL. SIMLAGURI
P.O.- KALAPANI

DIST.- BAKSA.

5: NIJEN RAY @ NIJES ROY

S/O- LT. DHANESWAR RAY

VILL. BATABARI
P.O.- SIMBARGAON

DIST.- KOKRAJHAR.

6: NIJARA BALA ROY
W/O- ARUN CH. ROY

VILL.- TITAGURI-BHOTGAN

P.O.- TITAGURI
DIST.- KOKRAJHAR.

7: BISARAM BASUMATARY
S/O- LT. HAWDARAM BASUMATARY

VILL AND P.O. SIMBARGAON
DIST.- KOKRAJHAR.

8: LTIKA RAY
W/O- KUKIL RAY

VILL- DEBARGAON
P.O- SERFANGURI

DIST.- KOKRAJHAR.

9: SWAPNA RAY
D/O- TARAK ADHIKARI

VILL- DEBARGAON

P.O.- SERFANGURI
DIST. KOKRAJHAR.

10: BINAPANI NARZARY
W/O- RAMA NARZARY

VILL.- DOLOTPUR

PO- SERFANGURI
DIST.- KOKRAJHAR.

11: PARAMESWAR BRAHMA
S/O- LT. UDAL BRAHMA

VILL. NO.-2 SIMALMARI

P.O.- SERFANGURI
DIST.- KOKRAJHAR.

12: JOYDEV ROY
S/O- LT. SANTORAM ROY

VILL AND P.O.- NO. 1 BENGTOL

DIST.- KOKRAJHAR.

13: BHADRASING BASUMATARY
S/O- LT. REBEN BASUMATARY

VILL. DEBARGAON
P.O.- HALTUGAON

DIST.- KOKRAJHAR
ASSAM.

14: PRABHABATI ROY
W/O- LT. DURGA MOHAN ROY

VILL- MAJPARA
P.O.- TITAGURI
DIST.- KOKRAJHAR.

15: MADHUSHUDHAN MOHANTA
S/O- LT. HARAN MOHANTA

VILL- TITAGURI BARMANPARA

P.O.- TITAGURI
DIST.- KOKRAJHAR
ASSAM.

16: ATUL DEKA
S/O- LT. PRASANNA DEKA

VILL- DIMLAPAR
P.O.- TAMULPUR
DIST.- BAKSA.

17: AJIT KALITA
S/O- LT. BOGIRAM KALITA

VILL- HAZARAGAON

P.O.- KUMARIKATA
DIST.- BAKSA
ASSAM.

18: PATESWARI BRAHMA
W/O- RANJIT BORO

VILL- BAJIGAON
DIST. BAKSA
ASSAM.

19: IMAN ALI AHMED
S/O- NIJAM UDDIN SARKAR

VILL- PUB BILASPUR
PO- KAJALGAON
DIST.- CHIRANG
ASSAM.

20: GANESH BAHADUR SAPKOTA
S/O- LT. JAGAT BAHADUR SAPKOTA

VILL. AND P.O.- KOILA MOILA
DIST.- CHIRANG.

21: MONURAM HEMBRAM
S/O- LT. PARO HEMBRAM

VILL. AND P.O.- PATGAON

DIST.- KOKRAJHAR
ASSAM.

22: SOMESWARI BASUMATARY
W/O- RANJIT NARZARY

VILL- SANTIPUR

P.O.- KARIGAON
KOKRAJHAR
ASSAM.

23: MOHAN KALITA
S/O- LT. MADHURAM KALITA

VILL- MODARBARI
P.O. MAJDIA

DIST.- BAKSA
ASSAM.

24: BIJAY RAJBONGSHI
S/O- LT. GOBINDA RAJBONGSHI

VILL. AND P.O. BARKHOPA

DIST.- BAKSA.

25: MAHESWAR KAKATI
S/O- LT. KALPARAM KAKATI

VILL.- PUB KACHUKATA

P.O.- DHEKIPETA
DIST. BAKSA
ASSAM.

26: BHARAT RABHA
S/O- LT. DUMAHU RABHA

VILL. GERUAPAR
P.O. DONGPAR

DIST.- BAKSA
ASSAM.

27: MAHENDRA BASUMATARY
S/O- LT. GALA BASUMATARY

VILL- DAKHIN DENGARGAON

P.O.- KALCHENI

DIST.- BAKSA
ASSAM.

28: RAMPRASAD SARMA
S/O- LT. PRAHLAD BASTOLA

VILL- PAHARPUR
P.O.- SIDDINATH

DIST.- BAKSA
ASSAM.

29: RUHUL AMIN

S/O- LT. NASIR UDDIN

VILL. AND P.O.- GOBARDHANA

DIST.- BAKSA
ASSAM.

30: NIRANJAN DAS
S/O- LT. PRANESWAR DAS

VILL. AND P.O. ODALGURI

DIST.- BAKSA
ASSAM.

31: ABDUL GANI MONDAL
S/O- LT. MARTUZ ALI MONDAL

VILL- CHUKRUNGBARI PATHAR

P.O. CHUKRUNGBARI
DIST.- BAKSA

ASSAM.

32: PUTUL BALA ROY
D/O LT. NARESWAR ROY

VILL- ODALGURI
P.O. MAINAMATA

DIST.- BAKSA
ASSAM.

33: RAHIMUDDIN AHMED
S/O- LT. FAZAR ALI AHMED

VILL- PORAGAON

P.O.- CHUKRUNGBARI

DIST.- BAKSA
ASSAM.

34: SAIYED ALI AHMED
S/O- LT. JABED ALI MUNSHI

VILL. AND P.O.- GOBARDHANA

DIST.- BAKSA
ASSAM.

35: HAFIJUDDIN AHMED
S/O- LT. SONA ULLAH

VILL.- KAURPARA
PO- HOWLY

DIST.- BAKSA
ASSAM.

36: NURUL AMIN SARKAR
S/O- LT. SHITAL ALI SARKAR

VILL. BARAGUA
P.O. MECHPARA

DIST. BAKSA
ASSAM.

37: DHANJIT DAS
S/O- LT. MAKSHYADA DAS

VILL. AND P.O.- GOBARDHANA

DIST.- BAKSA
ASSAM.

38: GANESH DAS
S/O- LT. CHANDRA KT. DAS

VILL- UJAN BABHARI

P.O. BARENGABARI

DIST.- BAKSA
ASSAM.

39: LOHIT BORO
S/O- LT. MANIA BORO

VILL. SARU BELBARI
P.O. PASCHIM JHARGAON
DIST. BAKSA.

40: RABIRAM RABHA

S/O- LT. DABHANGU RABHA

VILL. AND P.O.- BARKHOPA

DIST.- BAKSA
ASSAM.

41: DINESH CH. DAS
S/O- LT. MONO RAM DAS

VILL- HATAPARA
P.O.- GOBARDHANA
DIST. BAKSA.

42: ABDUL DANESH ALI DEWAN
S/O- LT. RUSTAM ALI

VILL. AND P.O.- CHAPARBORI
DIST.- BAKSA
ASSAM.

43: AMJAD ALI
S/O- LT. HABAL UDDIN

VILL. RAGHAB BILL

P.O. BARENGA BARI

DIST. BAKSA.

44: RATNESWAR BASUMATARY
S/O- LT. BABURAM BASUMATARY

VILL- KHAGRABARI
P.O. KALPANI

DIST.- BAKSA.

45: RANJAN CH. SARKAR
S/O- LT. NARAYAN CH. SARKAR

VILL- BAJIGAON PATHAR
P.O.- KALAJHAR PATHAR
JHARGAON

DIST.- BAKSA.

46: REJIA BEGUM

D/O- MAJE HABAR UDDIN SARKAR

VILL- PUB CHAFAKAMAR

P.O. GOBARDHANA

DIST.- BAKSA
ASSAM.

47: SAILEN NARZARY
S/O- LT. MANI NARZARY

VILL. NO. 1 BALAPARA
P.O.- TUKRAJHAR

DIST.- CHIRANG.

48: NIRULA BRAHMA
D/O- LT. MAJEN BASUMATARY

VILL- NIZLAGURI
P.O. SHANTIPUR

DIST.- CHIRANG.

49: NIRUPAMA NARZARY
D/O- SUKUR SING NARZARY

VILL- DURGAPUR
NO. 2 BENGTOL

P.O. BENGTOL
DIST.- CHIRANG

ASSAM.

50: CHIRIMAN BASUMATARY
S/O- LT. SUMAN BASUMATARY

VILL- SERFANGURI
P.O. BENGTOL

DIST.- CHIRANG.

51: GOPINATH BRAHMA
S/O- LT. KANAK LAL BRAHMA

VILL. BIKRAMPUR

P.O. BENGTOL

DIST.- CHIRANG.

52: DHARENDRA NARZARY
S/O- LT. BISHANG NARZARY

VILL. NO. 1 SHALBARI
P.O. SHANTIPUR

DIST.- CHIRANG

53: AYUB ALI
S/O LT. JIARUDDIN MONDAL

VILL.- MADARPUR
P.O. CHOTONILBARI

DIST.- CHIRANG

54: ANIMA NARZARY
D/O- LT. PHANIBHUSAN NARZARY

VILL- DANGSHIBARI
P.O. DATTAPUR

DIST. CHIRANG

55: MANJU ISWARI
D/O- LT. NAIYA ISWARI

VILL. AND P.O.- TUKRAJHAR

DIST. CHIRANG
ASSAM.

56: PRADIP NARZARY
S/O- LT. SAIMAN NARZARY

VILL- NANGDORBARI
P.O. SHANTIPUR

DIST. CHIRANG

57: JAFAR ALI
S/O LT. ABDUL SALAM

VILL- SARAGAON

P.O. JOYPUR

DIST. CHIRANG
ASSAM.

58: PRABHAT CH. NARZARY
S/O- LT. LABAREN NARZARY

VILL- SOUTH BALAJHAR

P.O.- TUKRAJHAR
DIST. CHIRANG.

59: PADMA PRASAD KAFLYE
S/O LT. HOMNATH KAFLYE

VILL- AMTEKA SANTIKUNJA

P.O.- BETINI
DIST. CHIRANG.

60: JOYNATH MONDAL
S/O- LT. DEBENDRA MONDAL

VILL- PURBO DAMGAON
P.O. CHOTTO NILBARI

DIST. CHIRANG
ASSAM.

61: RAMESH GOYARI
S/O- LT. HALIRAM GOYARI

VILL.- DAOKABAHA
P.O. PATABARI

DIST.- CHIRANG.

62: ABDUL BAREQUE
S/O- LT. ABDUL HAMID MONDAL

VILL- NANGALBHANGA
P.O. JOYPUR

DIST. CHIRANG

63: KAILASH CH. DAS
S/O- LT. KANAK CH. DAS

VILL AND P.O. BENGTOL

DIST.- CHIRANG
ASSAM.

64: RABIN BARMAN
S/O LT. JOGESH BARMAN

VILL.- NO. 2 BENGTOL
P.O. BENGTOL

DIST. CHIRANG.

65: SIMSON BASUMATARY
S/O- LT. RAKREB BASUMATARY

VILL- LAKHIPUR
P.O. PATABARI
DIST. CHIRANG.

66: SUMITRA BASUMATARY
D/O- LT. JATINDRA NARZARY

VILL- NO. 2 BENGTOL
P.O. BENGTOL

DIST.- CHIRANG.

67: KERONI HAJOARY
D/O- LT. BABURAM HAJOARY

VILL. NO. 2 BENGTOL
P.O. BENGTOL

DIST.- CHIRANG.

68: SIRISH NARZARY
S/O- LT. BIREN NARZARY

VILL.- CHIRANG KUMGURI

P.O. TUKRAJHAR

DIST.- CHIRANG.

69: ANIMA DAMARI
D/O- LT. PARAMESWAR DAIMARY

VILL. AND P.O. BENGTOL

DIST. CHIRANG
ASSAM.

70: PARMESH PANDIT
S/O- LT. HARENDRA PANDIT

VILL. RAMCHAJA
P.O. MAHARIPARA

DIST. BAKSA.

71: SAHIDUL ISLAM
S/O- LT. ABU BAKKAR SIDDIQUE

VILL- NAYACHARA
P.O.- BILASPUR

DIST. KOKRAJHAR
ASSAM.

72: RAGHUNATH BARMAN
S/O- LT. LALMOHAN BARMAN

VILL- BATABARI
P.O. BIJNI

DIST.- CHIRANG.

73: HARESWAR NARZARY
S/O- LT. AOJAT NARZARY

VILL- SIGUNBARI
P.O. KALAIGAON

DIST.- CHIRANG.

74: MRIDULA SARKAR
W/O- ARJUN BARMAN

VILL- NAYACHARA PT. 1
P.O. BILASPUR

DIST.- KOKRAJHAR.

75: BISWANATH KERKATA

S/O- LT. MAYARAM KERKATA

VILL- DURGAPUR
P.O. KUNGKRIJHORA

DIST.- CHIRANG
ASSAM.

76: PHININ CH. GOYARY
S/O- LT. MONGAL GOYARI

VILL.- KHUWDWM
P.O.- BOROBAZAR

DIST.- CHIRANG
ASSAM.

77: RABIRAM DAS
S/O- LT. KHADURAM DAS

VILL- BHAWRAGURI
P.O. S/ABDIPARA

DIST.- CHIRANG.

78: KARUNA KT. NARZARY
S/O- LT. MAHENDRA NARZARY

VILL. AND P.O. BHALATAL

DIST.- CHIRANG
ASSAM.

79: KANTO NARAYAN GOYARY
S/O- LT. PHONNDRA GOYARY

VILL. PASCHIM MAKRA
P.O. BOROBAZAR

DIST.- CHIRANG
ASSAM.

80: BISHNU RAM ROY
S/O- LT. KHAGENDRA ROY

VILL. AND P.O. SILIKHGURI

DIST.- CHIRANG

ASSAM.

81: RUPNATH BASUMATARY
S/O- LT. DEBARU BASUMATARY

VILL- SILBARI
P.O. BOROBAZAR

DIST.- CHIRANG.

82: KARUNA KANTA BRAHMA
S/O- LT. GOLAK CH. BRAHMA

VILL- GAMBIRAKATA
P.O. KAJIGAON

DIST. KOKRAJHAR.

83: BITINDRA NATH BRAHMA
S/O- LT. RAJENDRA NATH BRAHMA

VILL- GAMBIRAKATA
P.O. KAJIGAON

DIST.- KOKRAJHAR.

84: TARENDRA SANGMA
S/O- GOLAK MARAK

VILL- GARO MATIADA
P.O.- MONGLAJHAR

DIST.- KOKRAJHAR.

85: BARENDRA RABHA
S/O- LT. SABIRAM RABHA

VILL.- KACUDALA
P.O. BORSHIJHORA

DIST.- KOKRAJHAR.

86: PRAFULLA RABHA
S/O- LT. MAHANANDA RABHA

VILL. AND P.O. KAJIGAON
DIST.- KOKRAJHAR
ASSAM.

87: HIRANI BRAHMA
D/O- LT. SAMARENDRA BRAHMA

VILL.- GAMBARIKATA
P.O. KAJIGAON

DIST.- KOKRAJHAR.

88: HAZRAT ALI SK.
S/O- LT. RIAJUDDIN SK

VILL- DEBITOLA PT.-III

P.O.- DEBITOLA

DIST.- KOKRAJHAR.

89: NABA KR. GUWALA
S/O- LT. MONALU GUWALA

VILL. AND P.O.- MONGLAJHORA

DIST.- KOKRAJHAR
ASSAM.

90: SANENDRA BRAHMA
S/O- LT. JAGADISH CH. BRAHMA

VILL- CHILKIKHATA
P.O.- TIPKAI

DIST.- KOKRAJHAR.

91: CHANDAN BRAHMA
S/O- LT. LOHIT KR. BRAHMA

VILL. POLASHGURI
P.O. DULIGAON

DIST.- KOKRAJHAR.

92: SANKAR NARZARY
S/O- LT. LAKSHMI RAM NARZARY

VILL.- CHANGBANDA
P.O. TIPKAI

DIST.- KOKRAJHAR.

93: KHOKON PAUL
S/O- LT. SUKUMAR PAUL

VILL. AND P.O.- TIPKAI

DIST.- KOKRAJHAR
ASSAM.

94: PULIN BRAHMA
VILL. KHANGRIBARI
P.O.- TIPKAI

DIST.- KOKRAJHAR
ASSAM.

95: RANENDRA BRAHMA
VILL. TULSHIJHORA
P.O. TIPKAI

DIST.- KOKRAJHAR
ASSAM.

96: BINAPANI DUTTA
W/O- KALI PADA DUTTA

VILL. AND P.O.- TIPKAI

DIST.- KOKRAJHAR
ASSAM.

97: MARY VOILET MARDI
W/O- VICTOR SOREN

VILL- KATRIBARI

P.O. MONGLAJHORA

DIST.- KOKRAJHAR.

98: BABULAL BRAHMA
VILL.- RANGAMATI
P.O. TIPKAI

DIST.- KOKRAJHAR
ASSAM.

99: KESHAB CH. MAGAR
S/O- LT. LAL BAHADUR MAGAR

VILL. AND P.O.- TIPKAI

DIST.- KOKRAJHAR
ASSAM.

100: JASHODA BALA THAKURIA
D/O- LT. KANURAM THAKURIA

VILL.- PALENGBARI
P.O. MONNAKOSHA

DIST.- CHIRANG
ASSAM.

101: PRABHABATI ROY
W/O- LT. DURGA MOHAN ROY

VILL- TITAGURI MAJPARA
P.O.- TITAGURI

DIST.- KOKRAJHAR
ASSAM.

102: SAHAJUDDIN SK.
S/O- AHAMMED ALI

VILL- KATHALGURI
P.O. BILASPUR

DIST.- KOKRAJHAR
ASSAM.

103: DHANA ROY
W/O- LT. SAILEN SINGHA

VILL. BHAKATGAON
P.O.- CHAPOR

DIST.- KOKRAJHAR
ASSAM.

104: PHIJANI SANGMA
D/O- LT. KINANG MARAK

VILL- PANSCHIM ANUJULI

P.O.- DEBORGAON

DIST.- KOKRAJHAR
ASSAM.

105: SAHIDUR ALI SARKAR
S/O- LT. SAHED ALI

VILL- HARDEMARA

P.O. BAHALPUR

DIST.- KOKRAJHAR
ASSAM.

106: SATISH MURMU
S/O- LT. BARKA MURMU

VILL- AMLAIGURI

P.O.- SAMPABATI

DIST.- KOKRAJHAR.

107: MAHIMA BALA BASUMATARY
W/O- LT. JANTABIR HAJOARY

VILL- DEBARGAON

P.O. SERFANGURI

DIST.- KOKRAJHAR
ASSAM.

108: CHAPASING KOCH
S/O LT. AMENDRA KOCH

VILL- KOLOBARI

P.O.- SERFANGURI
DIST.- KOKRAJHAR.

109: SUDHANNA KARMAKAR
S/O- LT. TALINDRA NATH KARMAKAR

VILL- KURSAKATI

P.O.- MOLANDUBI

DIST.- KOKRAJHAR
ASSAM.

110: PABAN KR. BASUMATARY
S/O- LT. MUNINDRA BASUMATARY

VILL- KUMGURI
P.O. SERFANGURI

DIST.- KOKRAJHAR
ASSAM.

111: JANIRAM BASUMATARY
S/O- LT. MATHER BASUMATARY

VILL- SIMLA
P.O. MAHARIPARA

DIST.- BAKSA.

112: BAPURAM BORA
S/O- LT. LAXIRAM BORA

VILL. NO. 4 GORESWAR GOSAIGAON

P.O.- GORESWAR
DIST.- BAKSA
ASSAM.

113: RANJAY KR. BORO
S/O- LT. JITEN CH. BORO

VILL. NO.- 3 GORESWAR

P.O.- GORESWAR
DIST.- BAKSA.

114: RAGHUNATH BARMAN
S/O- LT. LALMOHAN BARMAN

VILL- BATABARI
P.O.- BIJNI

DIST.- CHIRANG.

115: GANESH KALITA

S/O- LT. PARSURAM KALITA

VILL- REHABARI
PO- PUB REHABARI

DIST.- BAKSA
ASSAM.

116: DURGESWAR KALITA
S/O- LT. GAURI KT. KALITA

VILL. AND P.O.- SARU MANIKPUR

DIST.- BAKSA
ASSAM

117: PURNA KT. BASUMATARY
S/O- LT. FIKO BASUMATARY

VILL. NO. 2 PAKNAMARA JANAKISUPA

P.O.- PAKNAMARA

DIST.- BAKSA
ASSAM.

118: ANNA MARIA KISKU
S/O- LT. GEBRIAL KISKU

VILL- KALAJHAR
P.O. PATKIJULI

DIST.- BAKSA
ASSAM.

119: GEBRIAL BERSA
S/O- LT. KARAN BERSA

VILL. AND P.O.- PATKIJULI

DIST.- BAKSA
ASSAM.

120: SIBLAL HASDA
S/O MUNGI HASDA

VILL. AND P.O.- PATKIJULI

DIST.- BAKSA
ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM,
DISPUR, GUWAHATI-6.

2:THE SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF SCHOOL EDUCATION
DISPUR
GUWAHATI-6.

3:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19.

4:THE BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR
REPRESENTED BY THE PRINCIPAL SECRETARY
BTC

KOKRAJHAR
ASSAM

PIN- 783370.

5:THE DIRECTOR OF EDUCATION
BTC
KOKRAJHAR
ASSAM.
PIN- 783370.

6:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPTT.

DISPUR
GUWAHATI-6

Advocate for the Petitioner : MD A HUSSAIN

Advocate for the Respondent : GA, ASSAM

BEFORE

HON'BLE MR. JUSTICE DEVASHIS BARUAH

08.02.2023

Heard Mr. A. Hussain, the learned counsel for the petitioner and Mr. P. Saikia, the learned counsel appearing on behalf of the respondent No.1. Also heard Mr. B. Kaushik, the learned counsel appearing on behalf of the respondent Nos.2 & 3; Mr. S. Borah, the learned counsel appearing on behalf of the respondent Nos.4 & 5 as well as Mr. R. Borpujari, the learned counsel appearing on behalf of the respondent No.6.

Issue notice making it returnable on **20.03.2023.**

As the respondents are duly represented by their respective counsels, extra copies of the writ petition be served upon them within 3 (three) days from today.

List accordingly.

JUDGE

Comparing Assistant