

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 BENGTOLE

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 BENGTOLE

P.O. BENGTOLE
DIST.- CHIRANG

ASSAM.

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

VILL- SERFANGURI
P.O. BENGTOLE

DIST.- CHIRANG.

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

VILL. BIKRAMPUR

P.O. BENGTOLE

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. BENGTOLE

DIST.- CHIRANG
ASSAM.

64: RABIN BARMAN
S/O LT. JOGESH BARMAN

VILL.- NO. 2 BENGTOLE
P.O. BENGTOLE

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 BENGTOLE
P.O. BENGTOLE

DIST.- CHIRANG.

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

VILL. NO. 2 BENGTOLE
P.O. BENGTOLE

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. BENGTOLE

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.- BOROBABAR

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. BOROBABAR

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. BOROBABAR

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.- DEBORGAN

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 BALASUBRAMANIAM
W/O- LT. JANTABIR HAJOARY

VILL- DEBARGAN

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
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

ORDER

17.11.2023

Mr. S. Bora, learned Standing Counsel, BTC has given 2 (two) weeks' time to file affidavit-in-opposition.

List the matter after two weeks.

JUDGE

Comparing Assistant