

GAHC010014442026



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

Case No. : WP(C)/445/2026

SAMARJIT SINGHA
S/O SUSHIL CHANDRA SINGHA R/O VILL.- BURUNGA PT-II P.O.- TIKAR
BURUNGA P.S.- KATIGORAH DIST.- CACHAR, ASSAM, PIN- 788817

2: ABDUL KAIYUM LASKAR
S/O SOMAR UDDIN LASKARVILL.- PALOICHERRA PUNJI - III.P.O.-
SULTANICHERRAP.S.- JAMIRA BAZARDIST.- HAILAKANDI
ASSAMPIN 788162

3: RATHI KANTA DAS
S/O LATE JAHAR LAL DASVILL.-NATUN KANCHANPUR.P.O.- NATUN
KANCHANPUR
P.S.- SILCHAR SADARDIST.-CACHAR
ASSAMPIN 788007

4: SALMAN LASKAR
S/O BANGUL HOQUE LASKARVILL.- DAKSHIN MOHANPUR PT-VIP.O.P.S.-
SONAIDIST.- CACHAR
ASSAM
PIN - 78811

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,
DEPARTMENT OF SCHOOL EDUCATION, DISPUR, GUWAHATI, PIN-781006.

2:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
ELEMENTARY EDUCATION DEPARTMENT
DISPUR
GUWAHATI
PIN-781006

3:THE DIRECTOR OF ELEMENTARY EDUCATION
KAHILIPARA
GUWAHATI
PIN- 781019.

4:MISSION DIRECTOR
SAMAGRA SIKSHA ABHIYAN
ASSAM
KAHILIPARA
GUWAHATI
PIN- 78101

For the petitioners : Mr. B.M. Deka, Advocate

For the respondents : Mr. D. Saikia,
Advocate General, Assam
Mr. N.J. Khataniar,
S.C., Elementary Education for
Respondent Nos.1, 2 & 3

Mr. S. Bora, S.C., SSA for
Respondent No.4

– B E F O R E –

HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR
HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

04-02-2026

(Ashutosh Kumar, C.J.)

We have heard Mr. B.M. Deka, learned Advocate for the petitioners, who has challenged the Advertisement dated 28.10.2025 issued by the Office of the Director of Elementary Education, Assam for a special recruitment drive of teachers in elementary schools.

The main plank of argument of Mr. Deka is that the Advertisement is based on the Assam Elementary Education (Provincialisation) (Amendment) Rules, 2025, which came into force much later than the issuance of the Advertisement.

Additionally, it has been questioned that opening the appointment only to contractual teachers by virtue of an amendment in Assam Elementary Education (Provincialisation) Rules in the year 2024, suffers from the vice of a classification which does not align with the object sought to be achieved.

Over the course of argument, it was found out that the challenge to the original amended Rules of 2024 is pending consideration before this Court in WP(C) 5207/2024.

Let this case be listed along with the afore-noted case on **24.02.2026**.

The learned Advocate General of Assam submits that the response affidavit shall be filed in the meantime.

Considering the fact that the recruitment process has been almost carried out, we are not passing any order with respect to the continuation of the process of recruitment presently.

JUDGE

CHIEF JUSTICE

Comparing Assistant