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

Case No. : WP(C)/658/2026

AKHTARUR RAHMAN
S/O LATE UZIR KHAN, R/O KHALIHAMARI JAIL ROAD, P.O. AND P.S.
DIBRUGARH, DIST. DIBRUGARH, ASSAM.

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM,
THE DEPTT. OF SCHOOL EDUCATION, JANATA BHAWAN, DISPUR, ASSAM
781006

2:THE JOINT SECRETARY
TO THE GOVT. OF ASSAM
DEPARTMENT OF ELEMENTARY EDUCATION
JANATA BHAWAN
DISPUR
ASSAM 781006

3:THE UNDER SECRETARY
TO THE GOVT. OF ASSAM
DEPARTMENT OF SCHOOL EDUCATION
JANATA BHAWAN
DISPUR
ASSAM 781006

4:THE DIRECTOR OF ELEMENTARY EDUCATION
KAHILIPARA
GUWAHATI-19
ASSAM

5:THE DISTRICT ELEMENTARY EDUCATION OFFICER
DIBRUGARH

ASSAM

6:THE DEPUTY INSPECTOR OF SCHOOLS
DIBRUGARH
ASSAM

7:THE DIRECTOR
OF THE STATE COUNCIL OF EDUCATIONAL RESEARCH AND
TRAINING(SCERT)
ASSAM
KAHILIPARA
GUWAHATI-19
ASSA

Advocate for the Petitioner : MR S BORTHAKUR, MR. D GOGOI

Advocate for the Respondent : SC, ELEM. EDU, SC, SCERT, ASSAM

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

23.07.2026

Heard Mr. D Gogoi, learned counsel for the petitioner.

Mr. P.R Sharma, learned counsel appears for the Elementary Education
renews is prayer for further time to complete his instructions and file affidavit.

The grievance of the petitioner is that by order dated 11.01.2019, the
petitioner was transferred in the same grade and scale of pay and posted in the
office of Deputy Inspector of School, Dibrugarh from his earlier posting in the
Pre-primary teacher training centre which is under the SCERT. However, the said
order also provides that the petitioner cannot claim seniority in the existing staff
of Senior Assistant under the District Elementary Education Officer, Dibrugarh.
Therefore, the petitioner is aggrieved by the fact that essentially by the order
dated 11.01.2019 he is repatriated back to his original cadre but his seniority is
not allowed to be counted. Being aggrieved, the present writ petition has been

filed.

The State has not filed the affidavit. Mr. Sharma will endeavour to complete his instructions and file affidavit and explains as to why the seniority of the writ petitioner has not been permitted to be counted in the order dated 11.01.2019.

Re-list this matter again on 21.08.2026.

JUDGE

Comparing Assistant