

GAHC010015432016



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

Case No. : WP(C)/2874/2016

SUNIL KR. PATHAK
S/O- JAYMONGAL PATHAK, R/O- ATALBASTI, P.O.- SILCHAR MEDICAL
COLLEGE, P.S.- GUNGOOR, DIST.- CACHAR, ASSAM, PIN- 788014.

VERSUS

THE STATE OF ASSAM and 8 ORS.
REP. BY THE COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM,
EDUCATION SECONDARY DEPTT., DISPUR, GHY- 6.

2:THE DIRECTOR OF SECONDARY EDUCATION
ASSAM
KAHILIPARA
GHY- 19.

3:THE INSPECTOR OF SCHOOLS CUM MEMBER SECRETARY
CACHAR DIST. CIRCLE
CACHAR
DIST.- CACHAR
ASSAM
PIN- 788117.

4:THE PRINCIPAL
P.C. BARJALENGA H.S. SCHOOL
PIN- 788117.

5:THE DY. COMMISSIONER CUM CHAIRMAN
DIST. SCRUTINY COMMITTEE
CACHAR DIST.
PIN- 788117.

6:SIDDHARTHA SANKAR PAUL

SUBJECT TEACHER L and P AT P.C. BARJALENGA H.S. SCHOOL
DIST.- CACHAR
ASSAM
PIN- 788117.

7:GONESH BHATTACHARJEE
SUBJECT TEACHER HISTORY AT BARJALENGA H.S. SCHOOL
DIST.- CACHAR
ASSAM
PIN- 788117.

8:SHYAMALI DEY
SUBJECT TEACHER ADDLL. ADVANCE BENGALI
P.C. BARJALENGA H.S. SCHOOL
DIST.- CACHAR
ASSAM
PIN- 788117.

9:THE PRINCIPAL SECY.
GOVT. OF ASSAM
FINANCE DEPTT.
DISPUR
GHY- 6

Advocate for the Petitioner : MR.H R AHMED, MSN NASRIN,MR.M HUSSAIN,MR.M U
MONDAL,MR.A RAHMAN

Advocate for the Respondent : SC, SECONDARY EDUCATION, MR.J N ISLAM(R-4),MR.D P
BORAH(R-6),MR.T N SRINIVASAN(R-8),MR.A M BARBHUIYA(R-4),MS.F BEGUM(R-4),MS.S
BORO(R-6),MR.N BARUAH(R-8),MR.P BARUAH(R-8),MR.M K CHOUDHURY(R-8),MR.B
PAUL(R-6),SC, FINANCE(R 9),GA, ASSAM(R 5)

BEFORE
JOINT REGISTRAR (JUDL.) MR. CHINMOY BARUAH

ORDER

Date : 24.09.2025

Case taken up before the Lawazima Court.

None appears on behalf of the petitioner.

Perused the records.

Perusal of the recent office note dated 22.09.2025 reveals that notice was issued to the
respondent No. 7 by way of usual process mode and by way of registered post with A/D

mode on 29.08.2025 & 04.09.2025 respectively.

Now, in respect of the aforesaid notices issued to the respondent No. 7, *i.e., "Gonesh Bhattacharjee, Subject Teacher History at Barjalenga H.S. School"*, it has been observed as follows:–

In respect of the notice issued through usual process:– In respect of the said notice, it appears that the process server's report has not been received by the concerned section as of yet.

In respect of the notice issued through registered post with A/D:– In this regard, it appears that the said notice has been received un-served with a communication dated 15.09.2025 *(at Flag-'UN' in Part-II file)* from the office of the "**Principal, P.C. Barjalenga H.S. School**". In the said communication, it has been stated that there is no Subject Teacher (History) by the name of "**Gonesh Bhattacharjee**" in their school. It has been further stated that there was a subject Teacher (History) in the said school by the name of "**Gongesh Bhattacharjee**", but he resigned from service back in the year 2014.

In view of the observations made above, this Lawazima Court is of the view that necessary instruction shall be obtained from the petitioner regarding respondent No. 7. As such, **the petitioner is afforded 10 (ten) days time to obtain requisite instructions regarding the said respondent (i.e., respondent No. 7).**

Let the matter be listed again before the Lawazima Court on 14.10.2025.

Joint Registrar (Judicial)

Comparing Assistant