

GAHC010016282024



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

Case No. : Review.Pet./8/2024

ABUL HUSSAIN
PRESIDENT OF SCHOOL MANAGEMENT COMMITTEE OF CHARAIHAGI
HEKENDAMARA L.P SCHOOL, DIST MORIGAON, ASSAM

VERSUS

MD MOJIBUR RAHMAN AND 10 ORS
S/O- MD. FOZUL HOQUE, R/O- VILL.- HEKENAMARA, P.O. DUMAL, P.S.
AND DIST. MORIGAON, ASSAM

2:MD. JAKIR HUSSAIN
S/O- LATE ABDUL RAHIM
R/O- VILL.- HEKENAMARA
P.O. DUMAL
P.S. AND DIST. MORIGAON
ASSAM

3:MD. MOIJ UDDIN
S/O- LATE ROJEB ALI
R/O- VILL.- HEKENAMARA
P.O. DUMAL
P.S. AND DIST. MORIGAON
ASSAM

4:MD. ABU TAHER
S/O- LATE JONEB ALI
R/O- VILL.- HEKENAMARA
P.O. DUMAL
P.S. AND DIST. MORIGAON
ASSAM

5:MD. WAJUDDIN AHMED

S/O- LATE ROJEB ALI
R/O- VILL.- HEKENAMARA
P.O. DUMAL
P.S. AND DIST. MORIGAON
ASSAM

6:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM
EDUCATION (ELEMENTARY) DEPARTMENT
DISPUR
GUWAHATI-06.

7:THE DIRECTOR

ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19.

8:THE ADDITIONAL DEPUTY COMMISSIONER (EDUCATION)

MORIGAON
ASSAM
PIN- 782105.

9:THE DISTRICT ELEMENTARY EDUCATION OFFICER
MORIGAON
ASSAM
PIN- 782105.

10:THE BLOCK ELEMENTARY EDUCATION OFFICER

MAYONG EDUCATION BLOCK
DIST. MORIGAON
ASSAM
PIN- 782411.

11:THE HEAD TEACHER

CHARAIHAGI HEKENAMARA L.P. SCHOOL
VILL.- HEKENAMARA
P.O. DUMAL
P.S. AND DIST. MORIGAON
ASSAM
PIN- 782105

Advocate for the Petitioner : MR P R SARMA

Advocate for the Respondent : SC, ELEM. EDU

Linked Case : WP(C)/6805/2023

MD. MOJIBUR RAHMAN AND 4 ORS
S/O- MD. FOZUL HOQUE
R/O- VILL.- HEKENAMARA
P.O. DUMAL
P.S. AND DIST. MORIGAON
ASSAM

2: MD. JAKIR HUSSAIN
S/O- LATE ABDUL RAHIM
R/O- VILL.- HEKENAMARA
P.O. DUMAL
P.S. AND DIST. MORIGAON
ASSAM

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ASSAM

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S/O- LATE JONEB ALI
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P.S. AND DIST. MORIGAON
ASSAM

5: MD. WAJUDDIN AHMED
S/O- LATE ROJEB ALI
R/O- VILL.- HEKENAMARA
P.O. DUMAL
P.S. AND DIST. MORIGAON
ASSAM
VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
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EDUCATION (ELEMENTARY) DEPARTMENT
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ASSAM
PIN- 782105.

7:ABUL HUSSAIN

S/O- ABDUL HAI

VILL.- HEKENAMARA

P.O. DUMAL

P.S. AND DIST. MORIGAON

ASSAM
PIN- 782105.

Advocate for : M ALAMGEER

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 6 ORS

**BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

ORDER

Date : 02.02.2024

Heard Mr. P. R. Sarma, learned counsel for the petitioner. Also heard Mr. B. Talukdar, learned standing counsel, Elementary Education Department, appearing on behalf of respondents No. 6, 7, 9 & 10; and Ms. D. D. Barman, learned Addl. Senior Government Advocate, appearing on behalf of respondent No. 8.

Issue notice, returnable in 4 weeks.

As Mr. Talukdar, learned standing counsel, Elementary Education Department, and Ms. Barman, learned Addl. Senior Government Advocate, have accepted notice on behalf of their respective respondents; no formal notice is required to be sent to the said respondents. However, requisite extra copies of the review petition be furnished to them during the course of the day.

Petitioner to take steps for causing service of notice upon the respondents No. 1, 2, 3, 4, 5 & 11, by registered post with A/D within 3 working days from today.

Considering the averments made in this review petition, and also on the ground of the fact that the review petitioner was approved by the competent authorities on 07.11.2023, for appointment as the President of Charaihagi Hekenamara LP School, Morigaon; the directions as contained in the order, dated 29.11.2023, passed by this Court in WP(c)6805/2023, shall not be given effect to, till the returnable date.

As prayed for, list it on 11th of March, 2024.

JUDGE

Comparing Assistant