

GAHC010030712025



undefined

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

Case No. : WP(C)/1088/2025

JABBAR MULLAH
C/O WAHED MULLAH, RESIDENT OF VILLAGE BHAYRUGURI, PO
BHOIRAGURI, DIST BARPETA, ASSAM

2: ABDUR RAHIM
C/O JABBAR ALI
RESIDENT OF GERAMARI PATHER
PO PALHAJI
DIST BARPETA
ASSAM

3: MOSHAROF KHAN
C/O MUSLEM KHAN
RESIDENT OF TARABARI CHAR
PO BAHARIHAT
DIST BARPETA
ASSAM

4: KRISHNA KANTA BARMAN
S/O SANTOSH BARMAN
RESIDENT OF VILLAGE PAKABET BARI
PO AND DIST BARPETA
ASSAM

5: GULZAR HUSSAIN
C/O ABDUL AWAL
RESIDENT OF VILLAGE CHIKAR BHITHA
PO RADHAKUCHI
DIST BARPETA
ASSAM

6: JAYNAL ABDIN
C/O ABDUL KASEM
RESIDENT OF VILLAGE AND PO KHARDHARA

DIST BARPETA
ASSAM

7: ABDUS SATTAR AHMED
C/O ABDUL BAREK ALI
RESIDENT OF VILLAGE AND PO KAMALPUR
DIST BARPETA
ASSAM

8: ALAMGIR TALUKDAR
C/O LATE MUYAZZEM HUSSAIN TALUKDAR
RESIDENT OF VILLAGE SAHPUR
PO SORBHOG DIST BARPETA
ASSAM

9: JAHURUL HOQUE
C/O AZIZUL HOQUE

RESIDENT OF VILLAGE KACHARIBARI
PO BHAKATAPARA
DIST DARRANG

ASSAM

10: PRABIN KR. BASUMATARY
C/O LATENDRA BASUMATARY

RESIDENT OF VILLAGE DEWRIGAON

PO GERUA BAZAR
PS ROWTA
DIST ODALGURI

ASSAM

11: HEMANTA PEGU
C/O PEPURAM PEGU

RESIDENT OF VILLAGE JIADHAL KEKURI GAON

PO JIADHAL CHARIALI
DIST DHEMAJI
ASSA
M

12: JAIDUR RAHMAN
C/O IBRAHIM ALI

RESIDENT OF VILLAGE KAWADANGA
PO BARBAGAN
DIST DARRANG
ASSAM

13: ANOWAR HUSSAIN
C/O ABDUL GONI MIAH

RESIDENT OF VILLAGE SONTOSHPUR

PO AND DIST BONGAIGAON
ASSAM

14: SAHA ALAM
C/O ABDUL KADER

RESIDENT OF VILLAGE SHAHPUR
PO SORBHOG
DIST BARPETA
ASSAM

15: HAMID ALI

C/O HAZI ABDUL KHALEQUE

RESIDENT OF VILLAGE AND PO SUKMANAH
DIST BARPETA
ASSAM

16: SHAHJAHAN ALI

C/O SOYED ALI

RESIDENT OF VILLAGE CHANDMAMA
PO CHANDMAMA
DIST BARPETA
ASSAM

17: HANNAN BHUYAN
C/O MANGAL BHUYAN
RESIDENT OF VILLAGE
TARABARI CHAR
PO TARABARI
DIST BARPETA
ASSAM

18: HURMOZ ALI
RESIDENT OF VILLAGE KAMALPUR

PO KAMALPUR

DIST BARPETA
ASSAM

19: SOHRAB ALI
C/ O DANESH ALI

RESIDENT OF VILLAGE KAYAKUCHIPAM

PO NALI GAON
DIST BARPETA
ASSAM

20: ABDUR ROUF
C/O MOKSHED ALI

RESIDENT OF VILLAGE CHIKARBHITHA

PO RADHAKUCHI
DIST BARPETA
ASSAM

21: MAZAMMEL HOQUE
S/O FAZAL HOQUE SIKDAR

RESIDENT OF VILLAGE RANGIA GAON
PO BAGODI
DIST BARPETA
ASSAM

22: KISMAT ALI
C/O RUSTAM ALI

RESIDENT OF VILLAGE ROWMARI GAON

PO ROWMARI GAON
DIST BARPETA
ASSAM

23: SABIN BRAHMA
C/O PARASHURAM BRAHMA

RESIDENT OF AITHANJAR
PO UDALGURI
DIST UDALGURI
ASSAM

24: MAHAR ALI

C/O AYEN UDDIN
RESIDENT OF VILLAGE BHAKUAMARI
PO ANANDA BAZAR
DIST BAKSA
ASSAM

25: MONUJ NARAH
C/O MUKESWAR NARAH

RESIDENT OF VILLAGE SABARI KALIA
PO AND DIST DHEMAJI
ASSAM

26: NUMAL PEGU
C/O SHRI BUDAI PEGU

RESIDENT OF VILLAGE JIADHAL KEKURI GAON

PO JIADHAL
DIST DHEMAJI
ASSAM

27: KANU DOLEY
C/O MANIKANTA DOLEY

R/O VILL. ADUT GAON
PO TINGIRI GAON

DIST DHEMAJI ASSAM

28: AFAZUDDIN AHMED
C/O MD. ASIMUDDIN

RESIDENT OF VILLAGE RAJAPUKHURI BAGICHIA

PO CHAMUAKHAT DIST DARRANG
ASSAM

29: ANSER ALI
C/O SHUKUR ALI

RESIDENT OF VILLAGE AND PO SONTOSHPUR

DIST BONGAIGAON
ASSAM

30: ALI AJGAR
C/O AYEZ UDDIN

R/O VILLAGE CHANDMAMA GAON
PO CHANDMAMA
DIS T. BARPETA
ASSAM 78132

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM,
DISPUR GUWAHATI 781006

2:THE PRINCIPAL SECRETARY
TO THE GOVT. OF ASSAM
FINANCE (EC-II) DEPARTMENT
DISPUR GUWAHATI 781006

3:THE SECRETARY
TO THE GOVT. OF ASSAM
DEPARTMENT OF SCHOOL EDUCATION
DISPUR GUWAHATI 781006

4:THE DIRECTOR OF SECONDARY EDUCATION

ASSAM KAHILIPARA GUWAHATI 781019

5:THE INSPECTOR OF SCHOOLS
BARPETA DISTRICT CIRCLE
BARPETA ASSAM 781301

6:THE INSPECTOR OF SCHOOLS
DHEMAJI DISTRICT CIRCLE
DHEMAJI
ASSAM 787057

7:THE INSPECTOR OF SCHOOLS
BONGAIGAON DISTRICT CIRCLE
BONGAIGAON ASSAM 783380

8:THE INSPECTOR OF SCHOOLS
DARRANG DISTRICT CIRCLE
DARRANG ASSAM 784148

9:THE INSPECTOR OF SCHOOLS
BAKSA DISTRICT CIRCLE
BAKSA ASSAM 712304

10:THE INSPECTOR OF SCHOOLS
UDALGURI DISTRICT CIRCLE
UDALGURI ASSAM 78450

Advocate for the Petitioner : MS S. MEHJABIN, MR. R ISLAM,MR G U AHMED,MR N SARMA

Advocate for the Respondent : SC, SEC. EDU., SC, FINANCE

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

28.02.2025

Heard Mr. N. Sarma, learned counsel for the petitioners, who submits that the petitioners have been provincialised as non teaching staff, vide orders dated 04.01.2021 and 04.02.2021, on a fixed monthly salary, as per the Assam Education (Provincialisation of Services of Non Teaching Staff of Venture Educational Institution) Act, 2018.

The petitioners counsel submits that the petitioners are entitled to payment of regular pay scales.

Issue notice returnable in 4 weeks.

Mr. S.M.T. Chistie, learned counsel appears for the respondent Nos.3-10, Mr. B. Gogoi, learned counsel appears for the respondent No.2, while Mr. P. Saikia, learned counsel appears for the respondent No.1.

List the matter after 4(four) weeks.

JUDGE

Comparing Assistant