

GAHC010031122025



undefined

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

**Case No. : WP(C)/959/2025**

DAL PATHAK  
S/O- LATE HARIRAM PATHAK,  
R/O- GANDHIBASTI,  
P.O.- BARPETA,  
DIST.- BARPETA, ASSAM,  
PIN- 781301.

VERSUS

THE STATE OF ASSAM AND 3 ORS.  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM,  
DEPARTMENT OF HIGHER EDUCATION,  
DISPUR, GUWAHATI-06.

2:THE DIRECTOR OF HIGHER EDUCATION  
ASSAM  
KAHILIPARA GUWAHATI-19.

3:THE GOVERNING BODY OF M.C. COLLEGE  
BARPETA  
REPRESENTED BY ITS PRESIDENT

BARPETA  
P.O.- BARPETA  
DIST.- BARPETA

ASSAM- 781301.

4:THE PRINCIPAL /SECRETARY  
M C COLLEGE BARPETA  
PO AND DIST BARPETA  
ASSAM  
PIN-78130

**Advocate for the Petitioner** : MR. S K MEDHI, MS. R. R. SAIKIA, A BHARALI, MR K K MEDHI, MRS. M BARMAN

**Advocate for the Respondent** : SC, HIGHER EDU, S A BAKHTIAR (R-3,4), MR K JAIN (R-3,4), MR. N ALAM (R-3,4)

**BEFORE  
HONOURABLE MR. JUSTICE KARDAK ETE**

**ORDER**

**Date : 18.03.2026**

Heard Mr. S. K. Medhi, learned counsel for the petitioner.

The grievance raised by the petitioner pertains to the fixation of pay in the Selection Grade and consideration for promotion to the post of Associate Professor under the Career Advancement Scheme.

On 20.02.2026, Mr. D. Upamanyu, learned Standing Counsel, on instructions, submitted that the proposal for rectification of the date of effect of the grant of Senior Scale of Pay to the petitioner had been forwarded to the Government for necessary concurrence. He had further stated that the exercise would be completed on or before 10.03.2026, with issuance of the requisite orders rectifying the effective date. In view of the submission of the learned Standing Counsel, this Court granted time to place on record the rectification order that would be passed by the authorities.

However, today, by placing the communication dated 17.03.2026 from the Deputy Secretary to the Government of Assam, Higher Education Department, Mr. Upamanyu submits that since the matter relates to

fixation of pay in respect of the petitioner, which involves financial implications and requires the concurrence of the Finance Department, the matter has been endorsed to the Finance Department for necessary concurrence and is presently under process. He, therefore, prays for some time to complete the necessary concurrence/approval from the concerned Department.

Considering that the petitioner is due to retire on 31.03.2026, Mr. Upamanyu, learned Standing Counsel, is granted further period of 10 (ten) days to complete the process and place the same before this Court.

Accordingly, as agreed to by the learned counsel for the parties, let this matter be listed on **26.03.2026**.

**JUDGE**

**Comparing Assistant**