

GAHC010036772024



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

**Case No. : WP(C)/1002/2024**

BHANU GOGOI  
W/O- LATE MINTU GOGOI, R/O- VILLAGE- DULAKAKHORIA, P.O.  
DULAKAKHORIA (GELEKY), PS- GELEKY, DIST.- SIBSAGAR, ASSAM, PIN-  
785696

VERSUS

THE STATE OF ASSAM AND 4 ORS  
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,  
DEPARTMENT OF SCHOOL EDUCATION (ELEMENTARY), DISPUR,  
GUWAHATI- 781006

2:THE DIRECTOR  
ELEMENTARY EDUCATION  
ASSAM  
KAHILIPARA  
GUWAHATI- 781019

3:THE DISTRICT ELEMENTARY EDUCATION OFFICER (DEEO)  
SIBSAGAR  
SIBSAGAR  
ASSAM  
PIN- 785640

4:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF  
ASSAM  
FINANCE DEPARTMENT  
DISPUR  
GUWAHATI- 781006

5:THE ACCOUNTANT GENERAL (A AND E)  
BAMUNIMAIDAM

BELTOLA  
GUWAHATI- 2

**Advocate for the Petitioner** : MR. S U AHMED, MR. P K ROYCHOUDHURY,MR A HAWARI

**Advocate for the Respondent** : SC, ELEM. EDU, MR. S K MEDHI (SC, AG A AND E),SC, AG,SC,  
FINANCE

**BEFORE**  
**HONOURABLE MR. JUSTICE NELSON SAILO**

**ORDER**

**Date : 02.03.2026**

The petitioner contends that he belongs to category No.3 mentioned in Cabinet Memorandum annexed by the respondent No.1 in the affidavit-in-opposition filed on 03.12.2024 as Annexure-A. As per the said Cabinet Memorandum, a proposal to solve the problem of irregularly/illegally appointed teachers has been made in respect of those teachers who have been drawn salary at some point of time after they receipt appointment and who have passed Junior Basic Training prior to 03.09.2001 or whose educational qualification as on date are in terms of the NCTE norms are to be accommodated. There is no indication in the affidavit as to whether the Cabinet Memorandum have been approved and passed by the Cabinet.

The learned counsel for the petitioner on the other hand submits that although he is eligible to be considered, his name has been dropped while others have been given the benefits.

In order to bring more clarity in the matter, Ms. S. Chutia, learned Standing Counsel, Elementary Education Department shall obtain instructions with regard to the Cabinet Memorandum annexed to the counter affidavit and

advise the Court as to whether the proposal have been approved by the Cabinet by the next date.

List the matter on 26.03.2026.

**JUDGE**

**Comparing Assistant**