

GAHC010036772024



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

Advocate for the Respondent : SC, ELEM. EDU

BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO

ORDER

20.03.2024

By filing this writ petition, the petitioner who is a stipendiary teacher prays for release of arrear salary from the month of March, 2015 till date along with current salary. It is the case of the petitioner that some proceeding was drawn against her since 09.08.2012 and the same has not culminated into any finding. On the other hand, the petitioner has been deprived of her arrear and current salary for reasons best known to the respondents.

In view of above, issue notice of motion returnable by 2 (two) weeks. Mr. P N Sarma, learned Standing Counsel, Elementary Education Department accepts notice on behalf of respondent Nos. 1, 2 & 3. Mr. R Borpujari, learned Standing Counsel, Finance Department accepts notice on behalf of respondent No. 4. Ms. P Swargiary accepts notice on behalf of respondent No. 5. Notice is therefore complete. Petitioner to serve requisite extra copies of the writ petition to the learned counsels appearing today within two days. Since it is the claim of

the petitioner that she is still working and therefore should be paid current salary, the respondents will have to show by the next date whether the petitioner is still working as on date and if so, why she has not been paid her current salary. The said information should be available in the affidavit to be filed by the Department.

The affidavit shall also contain information as to what happened to the enquiry which was initiated on 09.05.2012 and whether the same has reached its logical conclusion or not.

List the matter again on 9th of April, 2024.

JUDGE

Comparing Assistant