

WP(C) 5217/2017
BEFORE
HON'BLE MR. JUSTICE HRISHIKESH ROY

The challenge here is to the order dated 26.7.2017 (Page-63), whereby Debasis Sen (respondent No.10) was appointed as the regular Principal, in the Jafargarh Extended Higher Secondary School, Karimganj district, on the basis of the recommendation made by the State Selection Board, Assam.

The selection is challenged on the ground that the respondent No.10 secured the B.Ed qualification on 25.5.1998 (Page-45) from the Vivekananda College of Education, Karimganj but that college was recognized by the NCTE only on 13.3.2001 (Page-47) commencing with the academic session 2001 - 2002. The advertisement for the post was issued on 19.6.2016 (page-38) and the selection was held on 22.3.2017.

Mr. B. Purakayastha, the learned Counsel submits that the 1998 B.Ed degree of the recommended candidate, does not make him eligible for selection, as the Vivekananda College of Education was subsequently recognized by the NCTE only on 13.3.2001.

The learned Counsel Mr. S. Dey has filed the Caveat on behalf of the respondent No.10 and he submits that Debasis Sen has already joined as the regular Principal on 28.7.2017, in the Jafargarh Extended Higher Secondary School, Karimganj.

In view of above, let Notice returnable in 4 weeks be issued. Mr. A. Dekha, the learned Standing Counsel for the Department of Secondary Education accepts notice for the respondent Nos.1, 2, 3 & 6. The notice for the Assam University (respondent No.7) be served through Mr. S.C. Keyal, the learned advocate. Necessary extra copies be furnished to the learned lawyers.

The petitioner to ensure service on the other respondents, by registered post.

As Debasis Sen (respondent No.10) has already joined as the regular Principal, his appointment in the Jafargarh Extended Higher Secondary School, is made subject to the result of the case.