

GAHC010048342017



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

**Case No. : WP(C)/6811/2017**

PRABIN PEGU and 8 ORS.  
S/O SRI LILAKANTA PEGU R/O VILL- BAGBHETA, P.O. SISSIMUKH P.S. and  
DIST. DHEMAJI, PIN - 787058, ASSAM

2: SRI MRIDUL TAMULY  
S/O NARA KANTA TAMULY R/O VILL and P.O. NAGAKHELIA  
P.S. and DIST. DHEMAJI  
PIN - 787057  
ASSAM

3: SMTI. MONISHA DUTTA  
W/O SRI PRASANTA TAMULY R/O VILL- ARADHAL NAGAKHELIA  
P.O. DHEMAJI  
P.S. and DIST. DHEMAJI  
PIN - 787057  
ASSAM

4: SMTI. RITUMONI DUARAH  
W/O SRI BIPUL GOGOI R/O VILL- NOIKUSH P.O. MACHKHOWA P.S. and  
DIST. DHEMAJI  
PIN - 787058  
ASSAM

5: MRS. DIPAMONI BORGOHAIN  
D/O SRI CHANDRA BORGOHAIN R/O WARD NO. 4  
JYOTI NAGAR  
P.O. and P.S. and DIST. DHEMAJI  
PIN - 787057  
ASSAM

6: SMTI.NIKUMONI BORGOHAIN  
D/O LT. DULESWAR BORGOHAIN  
R/O VILL- KULAPATHAR  
P.O. ARADHAL

P.S. and DIST. DHEMAJI  
PIN - 787057  
ASSAM

7: SRI HAREN BARUAH  
S/O SRI NOMAL BARUAH R/O VILL and P.O. GOBINDAPUR  
P.S. DHAKUAKHANA  
DIST. LAKHIMPUR  
PIN - 787055  
ASSAM

8: SRI ATUL SONOWAL  
S/O SRI PREMADHAR SONOWAL  
R/O VIL- BHEREKICHUK  
P.O. BATGHORIA  
P.S. DHEMAJI DIST. DHEMAJI  
PIN - 787057  
ASSAM

9: SRI PULAK DUTTA  
S/O SRI KESHARAM DUTTA R/O VILL and P.O. GOBINDAPUR  
P.S. DHAKUAKHANA DIST. LAKHIMPUR PIN - 787055  
ASSA

VERSUS

THE STATE OF ASSAM and 21 ORS.  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,  
SECONDARY EDUCATION DEPARTMENT, DISPUR, GUWAHATI-06.

2:THE DIRECTOR OF SECONDARY EDUCATION

KAHILIPARA  
GUWAHATI -09.

3:THE INSPECTOR OF SCHOOLS

DHEMAJI DISTRICT CIRCLE  
DHEMAJI  
ASSAM

4:THE INSPECTOR OF SCHOOLS

LAKHIMPUR DISTRICT CIRCLE  
LAKHIMPUR.

5:THE SCHOOL MANAGEMENT and DEVELOPMENT COMMITTEE  
SMDC

MACHKHOWA HIGHER SECONDARY SCHOOL  
REP. BY ITS CHAIRMAN/SECRETARY  
DIST. DHEMAJI  
ASSAM  
PIN- 787058.

6:THE SCHOOL MANAGEMENT and DEVELOPMENT COMMITTEE

SMDC  
BATGHARIA HIGHER SECONDARY SCHOOL  
REP. BY ITS CHAIRMAN/SECRETARY  
DISTRICT- DHEMAJI  
ASSAM  
PIN - 787057.

7:THE SCHOOL MANAGEMENT and DEVELOPMENT COMMITTEE SMDC

DHEMAJI HIGHER SECONDARY SCHOOL  
REP. BY ITS CHAIRMAN/SECRETARY  
DIST. DHEMAJI  
ASSAM  
PIN- 787057.

8:THE SCHOOL MANAGEMENT and DEVELOPMENT COMMITTEE SMDC

SISSIMUKH HIGHER SECONDARY SCHOOL  
REP. BY ITS CHAIRMAN/SECRETARY  
DIST. DHEMAJI  
ASSAM  
PIN - 787058

9:THE SCHOOL MANAGEMENT and DEVELOPMENT COMMITTEE SMDC

DHEMAJI GIRLS HIGHER SECONDARY SCHOOL  
REP. BY ITS CHAIRMAN/SECRETARY DIST. DHEMAJI  
ASSAM  
PIN - 787057

10:THE SCHOOL MANAGEMENT and DEVELOPMENT COMMITTEE SMDC

RUPNATH BRAHMA HIGH SCHOOL  
REP. BY ITS CHAIRMAN/SECRETARY  
DIST. DHEMAJI  
ASSAM  
PIN - 787057.

11:THE SCHOOL MANAGEMENT and DEVELOPMENT COMMITTEE SMDC

DHAKUAKHANA HIGHER SECONDARY SCHOOL  
REP. BY ITS CHAIRMAN/SECRETARY  
DIST. LAKHIMPUR  
ASSAM  
PIN - 787055.

12:THE SCHOOL MANAGEMENT and DEVELOPMENT COMMITTEE SMDC

DHEMAJI TOWN HIGH SCHOOL  
REP. BY ITS CHAIRMAN/SECRETARY  
DIST. DHEMAJI  
ASSAM  
PIN - 787057

13:THE SCHOOL MANAGEMENT and DEVELOPMENT COMMITTEE SMDC  
HARHI GIRLS HIGH SCHOOL  
REP. BY ITS CHAIRMAN/SECRETARY DIST. LAKHIMPUR  
ASSAM  
PIN - 787055.

14:THE PRINCIPAL OF THE MACHKHOWA HIGHER SECONDARY SCHOOL

P.O. MACHKHOWA  
P.S. and DIST. DHEMAJI  
ASSAM  
PN - 787058.

15:THE PRINCIPAL OF THE BATGHARIA HIGHER SECONDARY SCHOOL

P.O. BATGHARIA  
P.S. and DIST. DHEMAJI  
ASSAM  
PIN - 787057

16:THE PRINCIPAL OF THE DHEMAJI HIGHER SECONDARY SCHOOL

P.O. and P.S. and DIST. DHEMAJI  
ASSAM  
PIN - 787057.

17:THE PRINCIPAL OF THE SISSUMUKH HIGHER SECONDARY SCHOOL

P.O. SISSIMUKH P.S. and DIST. DHEMAJI ASSAM  
PIN - 787058.

18:THE PRINCIPAL OF THE DHEMAJI GIRLS HIGHER SECONDARY  
SCHOOL

P.O. and P.S. and DIST. DHEMAJI  
ASSAM  
PIN - 787057

19:THE HEAD MASTER OF THE RUPNATH BRAHMA HIGH SCHOOL

P.O. ARADHAL  
P.S. and DIST. DHEMAJI  
ASSAM  
PIN - 787057

20:THE PRINCIPAL OF THE DHAKUAKHANA HIGHER SECONDARY  
SCHOOL

P.O. DHAKUAKHANA P.S. DHAKUAKHANA  
DIST. LAKHIMPUR  
ASSAM  
PIN - 787055.

21:THE HEAD MASTER OF THE DHEMAJI TOWN HIGH SCHOOL

P.O.  
P.S. and DIST. DHEMAJI  
ASSAM  
PIN-787057.

22:THE HEAD MASTER OF THE HARHI GIRLS HIGH SCHOOL

P.O. GOBINDPUR P.S. DHAKUAKHANA  
DIST. LAKHIMPUR  
ASSAM  
PIN - 787055

**Advocate for the Petitioner** : MR.A NARZERY, MR.P PATHAK,MR.P TALUKDAR,MS.M  
BORAH

**Advocate for the Respondent** : MR.A GOGOIR- 11and20, MS.M BAROOAH(R- 11&20),SC,  
SECONDARY EDUCATION

**BEFORE  
JOINT REGISTRAR (JUDL.) MR. CHINMOY BARUAH**

**ORDER**

**Date : 30.10.2024**

Case taken up before the Lawazima Court.

None appears on behalf of the petitioners.

Perused the records.

Seen the office note dated 30.10.2024, wherein, it has been stated that notice was issued to the respondent Nos. 5 to 22 by registered post with A/D on 20.11.2017.

However, in the meantime, it appears that the learned counsels have already entered appearance on behalf of the respondent Nos. 11, 12, 20 & 21 by filing Vakalatnama. As such, it may be said that **service in respect of the respondent Nos. 11, 12, 20 & 21 has been completed.**

Now, in respect of the notice issued to remaining respondents (*i.e., respondent Nos. 5 to 10, 13 to 19 & 22*), the following facts have been observed:–

**R5, R6, R7, R9, R13, R15, R18, R19 and R22 :– It appears that the A/D cards have been received bearing the purported signature of the respective respondents.**

**R8, R10, R14, R16 and R17:– It appears that neither the A/D cards nor the un-served notices have been received by the concerned section till date. Besides the aforesaid, it may be mentioned that the postal track consignment reports are also not available at the India Post website.**

In view of the observations made above, it may be said that **service in respect of the**

**respondent Nos. 5, 6, 7, 9, 13, 15, 18, 19 and 22 has been completed.**

Next, as far as the respondent Nos. 8, 10, 14, 16 & 17 are concerned, **the petitioners are directed to take fresh steps for service of notice upon the said respondents (i.e., respondent Nos. 8, 10, 14, 16 & 17) by registered post with A/D as well as by usual Court process through the office of the learned Civil Judge (Junior Division), Dhemaji, within 7(seven) days from the date of this order.**

Let the matter be listed again before the Lawazima Court in the last week of November, 2024.

**Joint Registrar (Judicial)**

**Comparing Assistant**