

GAHC010049802023



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

**Case No. : WP(C)/1321/2023**

AZHARUL ISLAM  
S/O- LATE MOMTAZ ALI AHMED,  
VILL- PORAVITA BAZAR,  
P.O- JAMADARHAT,  
DIST- DHUBRI, ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS  
THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,  
EDUCATION DEPARTMENT (ELEMENTARY)  
DISPUR, GHY-6.

2:THE COMMISSIONER AND SECRETARYX  
TO THE GOVT. OF ASSAM  
FINANCE DEPARTMENT  
DISPUR  
GHY-6.

3:THE AXOM SARBA SIKSHA ABHIJAN MISSION  
ASSAM  
TO BE REP. BY THE MISSION DIRECTOR  
KAHILIPARA  
GUWAHATI-19

4:THE DISTRICT MISSION-COORDINATOR  
SSA  
DHUBRI  
ASSAM  
TO BE REP. BY THE DISTRICT MISSION COORDINATO

**Advocate for the Petitioner** : MR. A R BHUYAN

**Advocate for the Respondent** : SC, ELEM. EDU

BEFORE  
**HON'BLE MR. JUSTICE MANASH RANJAN PATHAK**

**ORDER**

**21-03-2023**

Heard Mr. M. A. Mazarbhuiya, learned counsel for the petitioner and Mr. P. K. Bora, learned Standing Counsel, Department of School Education for the respondent No.1. Also heard Mr. A. Chaliha, learned Standing Counsel, Finance Department for the respondent No.2 as well as Mr. B. Choudhury, learned Standing Counsel, SSA, Assam for the respondent Nos. 3 and 4.

Pursuant to the order dated 10.03.2023, Mr. Choudhury, learned SC, SSA, Assam submitted that as on date, no such subsistence allowance has been paid to the petitioner and such other similarly placed employees, who are working as employees on contractual basis under the SSA, Assam.

Mr. Choudhury, also submitted that since the petitioner, who is serving as District Programme Officer (ST), Dhubri on contractual basis under the SSA, Assam has not yet been paid any subsistence allowance

Mr. Choudhury further submitted that the reply submitted by the petitioner to the show-cause notice is presently pending for consideration and therefore, he is seeking some time in that regard.

Prayer is allowed.

List on **04.04.2023**.

**JUDGE**

**Comparing Assistant**