

GAHC010051182017



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

Case No. : WP(C)/7154/2017

JESMINA KHATUN
D/O- AMIR HUSSAIN, VILL- PACHIM LARIRMUKH, P.O- MAGURMARI, P.S-
RUPOHIHAT, DIST- NAGAON, ASSAM

VERSUS

THE STATE OF ASSAM and 6 ORS.
REP. BY BOARD OF SECONDARY EDUCATION, ASSAM, BAMUNIMAIDAN,
GHY- 21

2:BOARD OF SECONDARY EDUCATION
ASSAM
BAMUNIMAIDAN
GHY- 21
REP. BY ITS CHAIRMAN

3:THE SECRETARY
OF THE BOARD OF SECONDARY EDUCATION
ASSAM
BAMUNIMAIDAN
GUWAHATI- 21

4:THE SECRETARY OF EXAMINATION
BOARD OF SECONDARY EDUCATION
ASSAM
BAMUNIMAIDAN
GHY- 21

5:THE SECRETARY
OF ASSAM HIGHER EDUCATION COUNCIL
BAMUNIMAIDAN
GHY- 21

6:THE REGISTRAR OF GAUHATI UNIVERSITY
GOPINATH NAGAR
GHY- 14

7:THE INSPECTOR OF SCHOOL
NAGAON DISTRICT CIRCLE
NAGAO

Advocate for the Petitioner : MS. R BEGUM, DR. B N GOGOI,MR. A DAS,MS. G BORAH

Advocate for the Respondent : SC, EDUCATION, MR. C BHATTACHARJEE(SC, ASSAM
HIGHER SECONDARY EDUCATION COUNCIL),SC, G U

BEFORE
DEPUTY REGISTRAR (BENCH) - MR. SAPTARSHI DAS

ORDER

Date : 30.10.2024

Case taken up before the Lawazima Court.

None appears on behalf of the petitioner.

Learned counsel Ms. A. Dey appears on behalf of learned Standing Counsel, Gauhati University, Mr. P.J. Phukan representing respondent No. 6.

Perused the records.

On a careful perusal of the Hon'ble Court vide its order dated 08.03.2018 reveals that, vide the said order, the petitioner was directed to take fresh steps upon the respondent Nos. 1 to 4 by registered post with A/D. Accordingly, notice was issued to the respondent Nos. 1 to 4 by registered post with A/D on 25.05.2018, as reflected in the earlier office note dated 25.05.2018.

However, the Hon'ble Court vide its order dated 03.09.2018 had observed that the notice upon the respondent Board of Secondary Education, Assam **(i.e., respondent Nos. 1 to 4)** has not been served. Accordingly, the learned counsel had prayed before the Hon'ble Court seeking permission to serve the said notice through the Standing Counsel of the Board. The said prayer was allowed by the Hon'ble Court dated on 03.09.2018.

Further, it has been observed that when the instant matter was listed again before the

Hon'ble Court on 31.01.2020, the learned counsel Dr. B.N. Gogoi appearing on behalf of the petitioner had submitted before the Hon'ble Court that the brief of the case has been taken away by the petitioner and therefore, the said counsel is no longer authorized to appear in the instant case. The learned counsel further prayed before the Hon'ble Court for 3 (three) weeks time to withdraw from this case by completing the necessary formalities. The aforesaid prayer was allowed by the aforesaid Hon'ble Court's order dated 31.01.2020.

Despite the aforesaid submission made by Dr. B.N. Gogoi, learned counsel for the petitioner, before the Hon'ble Court dated 31.01.2020, it has been observed that the name of the learned counsel Dr. B.N. Gogoi still being reflected in the Cause List. And, upon a perusal of the recent office note date 30.10.2024, it has been observed that there is no mention of the learned counsel for the petitioner being withdrawn from the instant matter.

In view of the observations made above and considering the fact that the matter was last listed before the Hon'ble Court on 31.01.2020, the concerned section is directed to list the matter before the Hon'ble Court.

Deputy Registrar (Bench)

Comparing Assistant