

GAHC010053032024



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

Case No. : WP(C)/1469/2024

ARCHANA PHUKAN @ ARCHANA PHUKON GOGOI
WIFE OF SRI BRAJEN GOGOI, ASSISTANT TEACHER OF NO. 2 GULIMARA
LOWER PRIMARY SCHOOL, P.O. HOOGRIJAN, PIN- 786601, DIST.-
DIBRUGARH, ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY ITS SECRETARY TO THE GOVERNMENT OF ASSAM,
ELEMENTARY EDUCATION DEPARTMENT, JANATA BHAWAN, DISPUR,
GUWAHATI- 781006

2:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI- 781019

3:THE DISTRICT ELEMENTARY EDUCATION OFFICER
DISBRUGARH
DIST.- DIBRUGARH
PIN-786001
ASSAM

4:THE DEPUTY INSPECTOR OF SCHOOLS
DIBRUGARH
DIST.- DIBRUGARH
PIN- 786001
ASSAM

5:THE BLOCK ELEMENTARY EDUCATION OFFICER
TENGAKHAT
DIBRUGARH
ASSAM

6:SMTI. MAMATA GHOSH
WIFE OF SHRI SUKARNA GHOSH
HEAD TEACHER I/C OF NO. 2 GULIMARA LOWER PRIMARY SCHOOL
RESIDENT OF VILL.- SOOGRIJAN
P.O. SOOGRIJAN
DIST.- TINSUKIA
PIN- 786601
ASSA

Advocate for the Petitioner : MR A GOHAIN

Advocate for the Respondent : SC, ELEM. EDU

BEFORE
HON'BLE MR. JUSTICE KARDAK ETE

O R D E R

15.03.2024.

Heard Mr. A. Gohain, learned counsel for the petitioner.

By filing this Writ Petition, the petitioner has put to challenge the order dated 16.11.2023, whereby the respondent No.6, namely, Smti. Mamata Ghosh has been allowed to hold the current charge of Head Master in-charge of the No.2 Gulimara L.P. School in Dibrugarh District until further order and also for a direction to consider her case for promotion to the post of Head Master by way of regular process, in terms of the applicable Rules.

It is the contention of the learned counsel for the petitioner that she is the senior-most teacher of the said L.P. School and the applicable Rules provide that appointment of Head master in the School is required to be made by way of promotion on the basis of seniority cum efficiency.

Issue notice returnable in four (4) weeks.

Since Ms. N. Phukan, learned Standing Counsel, Elementary Education Department appears for the respondent Nos.1—5, no formal notice need to be served. However, requisite extra copies be furnished to the learned Standing Counsel during the course of the day.

Petitioner to take steps for service of notice upon the respondent No.6, by Registered post with A/D, within three (3) days from today.

List the matter after four (4) weeks.

JUDGE

Comparing Assistant