

GAHC010054022024



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

Case No. : WP(C)/1480/2024

BISWAJIT DEY
S/O LATE BHUPATI KUMAR DEY
PRESENTLY BEEO, PATHARKANDI, MAHENDRA NIBASH, NATUN PATTY,
SILCHAR, HOME DIST. CACHAR, ASSAM, PIN-781001

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE SECRETARY, TO THE GOVT. OF ASSAM,
DEPARTMENT OF SCHOOL EDUCATION, DISPUR, GUWAHATI, ASSAM, PIN-
781006

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

3:THE DISTRICT ELEMENTARY EDUCATION OFFICER

KARIMGANJ
ASSAM

4:SRI SAMIN BAISHYA
S/O LATE GOPAL BAISHYA
BEEO
BARPETA
VILL- AND PO. KAKAYA
P.S. BELSOR
DIST. NALBARI
ASSAM

PIN-781304

5:SRI RAJENDRA KALITA
S/O LATE JIMMIJOY KALITA
BEEO
CHENGA EDUCATION BLOCK

BARPETA
R/O VILL- AND P.O. DASPARA
P.S. MUKALMUA
DIST. NALBARI
ASSAM
PIN-78112

Advocate for the Petitioner : MR. A K DUTTA, MR. B PURKAYASTHA

Advocate for the Respondent : SC, ELEM. EDU, MS A HUSSAIN (R-5),MR. J AHMED (R-5),MR N ZAMAN (R-5)

BEFORE
DEPUTY REGISTRAR (BENCH) - MR. SAPTARSHI DAS

ORDER

Date : 14.11.2025

Case taken up before the Lawazima Court.

Learned counsel Mr. B. Purkayastha appears on behalf of the petitioner. Heard.

Learned counsel Ms. R. Begum appears on behalf of Mr. J. Ahmed, learned counsel for the petitioner. Heard.

Perused the records.

Perusal of the office note dated 13.11.2025 reveals that notice was issued to the respondent Nos. 4 & 5 by registered post with A/D on 27.03.2024.

Now, in respect of the said notice issued to the respondent Nos. 4 & 5, it has been observed as follows:—

(i) No A/D card or un-served notice has been received in respect of the notice issued to the respondent No. 4. Additionally, the postal track consignment details are also not available at the Indian Post Website.

(ii) In respect of the respondent No. 5, it appears that the learned counsels have

already entered appearance on behalf of the said respondent by filing Vakalatnama.

In view of the above, it may be said that **service of notice upon the respondent No. 5 has been completed.** Further, as for the respondent No. 4, it may be discerned that service of notice upon the said respondent could not be effected as of yet.

Further, ***it may be mentioned that learned counsel Mr. B. Purkayastha appearing on behalf of the petitioner before the Lawazima Court today submitted that the instant matter has become infructuous and as such prays for the matter to be placed before the Hon'ble Court.***

In view of the above submission made by the learned counsel for the petitioner, the instant matter is laid before the Hon'ble Court for necessary orders.

Deputy Registrar (Bench)

Comparing Assistant