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

**Case No. : WP(C)/1651/2026**

RAHIM UDDIN LASKAR  
S/O- LATE MOTAFOR ALI LASKAR.

R/O- H.NO.57(D), SILCHAR ROAD, HAILAKANDI, HAJI MUBARAK ALI  
EIDGAH ROAD, HAILAKANDI WARD NO.1, GASTOLA, NEAR ASTC BUS  
STAND, HKD TOWN, P.O. AND P.S.-HAILAKANDI, DIST.- HAILAKANDI,  
ASSAM, PIN- 788151.

VERSUS

THE STATE OF ASSAM AND ORS  
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF  
ASSAM,DISPUR, GUWAHATI-6.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
DEPARTMENT OF SCHOOL EDUCATION  
DISPUR  
GUWAHATI-6.

3:THE DIRECTOR OF ELEMENTARY EDUCATION  
ASSAM  
KAHILIPARA  
GUWAHATI-19.

4:DISTRICT COMMISSIONER  
SRIBHUMI DISTRICT  
SRIBHUMI.

5:DISTRICT ELEMENTARY EDUCATION OFFICER  
SRIBHUMI DISTRICT  
SRIBHUMI.

6:ELECTION COMMISSION OF INDIA  
NIRVACHAN SADAN  
ASHOKA ROAD  
NEW DELHI-110001

**Advocate for the Petitioner** : MR S MUKTAR,

**Advocate for the Respondent** : GA, ASSAM, SC, ECI,SC, ELEM. EDU

**BEFORE**  
**HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

**ORDER**

**20.03.2026**

Heard learned counsel for parties.

2. The petitioner is aggrieved by the impugned transfer order dated 15.03.2026, whereby the petitioner was one of the officer who was transferred from his place of posting as Block Elementary Education Officer (BEEO), South Sribhumi Educational Block of District Sribhumi and posted as Block Elementary Education Officer (BEEO), Lanka Educational Block of District Hojai in the same capacity. This transfer order is purportedly issued as per the guidelines of the Chief Electoral Officer of the State of Assam for the ensuing assembly election.

3. The learned counsel for the petitioner submits that the parameters for transfer of the government servant in terms of the guidelines are reflected in the notification dated 09.02.2026, whereby in the said notification at Serial No. 3 and 4, the conditions under which an officer is to be transferred out are prescribed. According to the petitioner, Sribhumi is not his home district, and he was not posted in the same place for the last 3 years, he was posted on 21.08.2024 and he is yet to complete 2 years. Under such circumstances, it is submitted that the impugned order issued by the Administrative Department is

contrary to the Election Commission Guidelines in respect of transfer.

4. Ms. K. Das, learned Standing Counsel appearing for the Education Department submits that she would like to complete her instructions and place it before the Court on Monday. Ms. S. Kataki, learned Standing Counsel appearing for Election Commission of India.

5. Considering the question involved, whereby the petitioner was sought to be transferred, the matter be posted on 23.03.2026 on which the date the learned counsel for the respondent will obtain required instruction and place it before the Court.

6. Till 23.03.2026, the impugned transfer order dated 15.03.2026 in so far as the writ petitioner is concerned shall not be given effect to.

7. The learned counsel for the petitioner will furnish extra copies to the learned counsel for the respondents during the course of the day, to enable them to obtain required instructions.

8. Accordingly, list this matter on 23.03.2026.

**JUDGE**

**Comparing Assistant**