

GAHC010058882024



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

Case No. : WP(C)/1623/2024

RUNUMI PRIYA DEVI
IN-CHARGE HEADMISTRESS,
BARKOLA HIGH SCHOOL,
UDALGURI, DIST.- UDALGURI,
ASSAM.

VERSUS

THE STATE OF ASSAM AND 7 ORS
REPRESENTED BY THE SECRETARY,
DEPARTMENT OF SCHOOL EDUCATION,
DISPUR, GUWAHATI-6.

2:THE SECRETARY
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR.

3:THE SECRETARY
EDUCATION DEPARTMENT
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR
DISPUR
GUWAHATI-6.

4:THE DIRECTOR OF EDUCATION
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR
ASSAM.

5:THE FINANCE DEPARTMENT
REPRESENTED BY THE SECRETARY

BODOLAND TERRITORIAL COUNCIL

KOKRAJHAR
ASSAM.

6:THE INSPECTOR OF SCHOOLS
UDALGURI DISTRICT CIRCLE
UDALGURI.

7:TAPESWARI BARO
D/O- PADMA BARO

ASSISTANT TEACHER

BARKHOLA HIGH SCHOOL

UDALGURI
DIST- UDALGURI.

8:THE SECRETARY
EDUCATION DEPTT. CUM CHAIRMAN
DEPARTMENTAL PROMOTION COMMITTEE

BTC
KOKRAJHAR

Advocate for the Petitioner : MRS. R DEVI

Advocate for the Respondent : SC, ELEM. EDU

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : --24.04.2024

Mr. A. Boro, learned counsel appearing on behalf of respondent No. 7, submits that an affidavit-in-opposition on behalf of the said respondent, has already been filed and brought on record.

Mr. N. J. Medhi, learned counsel for the petitioner, submits that he may be granted some time to file an affidavit-in-reply to the affidavit-in-opposition filed by the respondent No. 7.

The Bodoland Territorial Council(BTC) authorities are also directed to bring their stand on record by way of filing an affidavit in the matter.

It is stated by the learned counsel for respondent No. 7 that although the respondent No. 7 had joined the post of the Headmistress of the school, in question, on 15.03.2024, and her pay against the said post was also fixed vide the order, dated 16.03.2024; but the salaries of the respondent No. 7 is not being released.

It is seen that the status quo order in this case was passed by this Court on 19.03.2024 and in the event, the respondent No. 7 had joined her services before the said date as well as her pay has been fixed against the post of Headmistress prior to 19.03.2024; there is no bar in releasing to the respondent No. 7, her salaries against the post of Headmistress.

However, any such action that may be taken in the matter, would be subject to the final order that would be passed in the present proceedings.

List it again on 10th of May, 2024, on which date, the Director(Education), Bodoland Territorial Council(BTC), shall submit a report indicating as to who amongst the petitioner and the respondent No. 7 is functioning as the Headmistress of the school, in question.

JUDGE

Comparing Assistant