

GAHC010064752026



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

Case No. : WP(C)/1830/2026

DEBAJYOTI BORAH
S/O BHADRESWAR BORAH
VILL- KUWARI ATI
P.S. KAMPUR
DIST. NAGAON, ASSAM,
PIN-782426

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT.OF ASSAM,
DISPUR, ASSAM.

2:COMMISSIOENR AND SECRETARY TO THE GOVT. OF ASSAM
SECONDARY EDUCATION
DISPUR
ASSAM.

3:DIRECTOR OF SECONDARY EDUCXAITON
GOVERNMENT OF ASSAM
KAHILIPARA
GUWAHATI-19.

4:INSPECTOR OF SCHOOLS
GOVERNMENT OF ASSAM
NAGAON DISTRICT CIRCLE.

5:PRINCIPAL
BAHAKABARI HIGHER SECONDARY SCHOOL
VILL- BAHAKABARI
P.O. PUB GUIMARI
NAGAON
ASSAM
PIN-78242

Advocate for the Petitioner : MR. D P CHALIHA, MS M ROY,MR. U P CHALIHA

Advocate for the Respondent : GA, ASSAM, SC, SEC. EDU.

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO**

ORDER

Date : 30.03.2026

Heard Mr. U. P. Chaliha, learned counsel for the petitioner, who submits that by filing this writ petition, the petitioner prays for counting of the period of his services which he has rendered on contract basis, which is permissible in terms of the Notification dated 21.08.2025 (Annexure – I). The learned counsel submits that a similar writ petition was disposed of by this Court on 08.09.2025, which is WP(C) No. 4894 of 2025 (*Md. Azizul Hoque Chowdhury Vs. State Of Assam & 4 Ors.*), annexed as Annexure – J to the writ petition.

At this stage, Mr. S. M. T. Chistie, learned counsel appearing for the Department submits that the petitioner had been regularized just a year back and that the Notification has only been misinterpreted by petitioner, since the petitioner is required to obtain a certain number of years of service before counting his past services rendered on contract basis towards seniority.

Be that as it may, matter requires to be examined and therefore let notice of motion be issued, returnable by four (4) weeks.

Mr. B. Saikia, learned State Counsel appears for the respondent No. 1 and Mr. S. M. T. Chistie, learned Standing Counsel, Secondary Education Department, accepts notice on behalf of the respondent Nos. 2, 3 & 4.

Petitioner to take steps for service of notice upon the respondent No. 5 by speed post within a period of three (3) working days.

List the matter after four (4) weeks.

The respondents to file their counter-affidavit in the meantime.

JUDGE

Comparing Assistant