

GAHC010065462026



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

Case No. : WP(C)/1911/2026

SRI AMRIT CHANDRA DAS
, S/O LATE KAMAL CHANDRA DAS, RESIDENT OF VILL KACHADHARA, PO
CHARAIBAHI, P.S. MIKIRBHETA, DISTRICTMORIGAON, ASSAM, PIN 782106

VERSUS

THE STATE OF ASSAM and others
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,
DEPARTMENT OF SCHOOL EDUCATION, ASSAM, DISPUR, GUWAHATI-
781006.

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

3:THE INSPECTOR OF SCHOOLS
MORIGAON
DISTRICT CIRCLE
MORIGAON 782101
ASSAM

4:THE DISTRICT SELECTION COMMITTEE
MORIGAON REPRESENTED BY THE DISTRICT COMMISSIONER
MORIGAON AS CHAIRMAN OF THE COMMITTEE
DISTRICT MORIGAON. PIN782101

5:THE STATE SELECTION BOARD
REPRESENTED BY THE SENIOR MOST SECRETARY TO THE
GOVERNMENT OF ASSAM
DEPARTMENT OF SCHOOL EDUCATION AS CHAIRMAN
DISPUR
GUWAHATI-781006
ASSAM

Advocate for the Petitioner : MR. A DEKA,

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

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO**

ORDER

Date : 02.04.2026

Heard Mr. A. Deka, learned counsel for the petitioner, who submits that the grievance of the petitioner is that the respondent authorities have filled up only twenty two (22) posts of Headmaster despite there being sufficient vacancies which are more than fifty seven (57) in numbers. The learned counsel submits that the petitioner is one of the senior most teacher and currently he is holding the post of the Headmaster of Ghagua High School, Morigaon on an In-charge basis, since 03rd of February, 2020.

Mr. S. M. T. Chistie, learned Standing Counsel, Secondary Education Department, submits that the process of filling up of posts of Headmaster on promotion is a continuous process and retention for some of the posts had not been obtained from the Finance Department at the time of preparation of the roster and therefore it is perhaps due to this reason that all the vacancies had not been filled up. He submits that since the process is ongoing process, the petitioner will be considered for his promotion in due course.

In view of above, issue notice of motion, returnable by four (4) weeks.

Mr. S. M. T. Chistie, learned Standing Counsel, Secondary Education Department, accepts notice on behalf of the respondent Nos. 1, 2, 3 & 5 and

Ms. K. Phukan, learned Government Advocate, appears for the respondent No. 4. Notice is therefore complete.

Petitioner to serve extra requisite copies of the writ petition to the learned counsel appearing for the respondents today, within two (2) working days.

In the interim, it is provided herein that if the petitioner is holding the charge of the Headmaster of Ghagua High School on an In-charge basis as claimed by him, the said position shall not be disturbed till the next returnable date.

The respondents to file their affidavits by the next date.

List the matter after four (4) weeks.

JUDGE

Comparing Assistant