

GAHC010068492024



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

Case No. : WP(C)/2090/2024

TAPASH KUMAR SARMA AND 38 ORS
S/O -PRASANNA SARMA, AGE ABOUT-48 YEARS.
VILL- DUNI, P.O-DUNI,P/S- SIPAJHAR,DIST- DARRANG , (ASSAM),PIN
-784148.

2: TAFIKUR RAHMAN
S/O- ABDUL GANI
AGE ABOUT- 48 YEARS
VILL -NAGARBERA
P/O- NAGARBERA
P.S - NAGARBERA
DIST - KAMRUP
ASSAM
PIN-781314

3: MEGHALI BORTHAKUR

D/O- APURBA BORTHAKUR
AGE ABOUT- 38 YEARS
VILL- NAGAON
P.O- NAGAON
P.S- NAGAON SADAR
DIST -NAGAON
ASSAM

4: PRASENJIT SAHA
S/O-UDAY KUMAR SAHA
AGE ABOUT - 42 YEARS
VILL - KHARPETIA
P. O AND P.S -KHARPETIA
DIST- DARRANG
ASSAM

5: RAJU GOGOI

S/O- MAHESWAR GOGOI
AGE ABOUT-46 YEARS
VILL- ROHAN
P.O- ROHAN
P/S-SAPEKHATI
DIST- CHARAIDEO
ASSAM.

6: ATIQUR RAHMAN
S/O- LATE FAIZUR RAHMAN
R/O-RANGIA
DIST- KAMRUP
ASSAM.

7: JINU GAYAN
D/O-LT. CHANDRA KT. GAYAN
AGE ABOUT-42 YEARS
R/O-CHARAIDEO
P/O- SUNARI
P/S- SUNARI
DIST- CHARAIDEO
ASSAM

8: ABHIJIT BORAH
S/O-BINA KANTA BORAH
AGE ABOUT-42 YEARS
R/O-KUMALABORIA
P/O- PANIGAON
DIST-LAKHIMPUR
ASSAM

9: LAKSHAYA JYOTI MAHANTA
S/O -SUCHAN CH. MAHANTA

AGE ABOUT -46 YEARS

VILL- RAJADHAP P.O- SUNARI
DIST-CHARAIDEU
ASSAM

10: CHETANA DEORI
D/O-MUHI CHANDRA DEORI

AGE ABOUT- 44YEARS
R/O-MORAN
P/O-MORAN
DIST- CHARAIDEO
ASSAM

11: GEETANJALI GOGOI
D/O- BIRESWAR GOGOI
AGE ABOUT-43 YEARS
R/O- SAPEKHATI
P/O- SAPEKHATI
P/S-SAPEKHATI
DIST-CHARAIDEO
ASSAM

12: MALABIKA PHUKON
S/O- SUKHIRAM PHUKON
AGE ABOUT-42 YEARS
R/O- MORAN
P/O-MORAN
P/S- MORANHAT
DIST- CHARAIDEO
ASSAM

13: REKHA DEVI CHARABORTY
D/O-LT. UPEN SARMA
AGE ABOUT-43 YEARS
R/O- K.B. ROAD
P/O- N. LAKHIMPUR
DIST-LAKHIMPUR
ASSAM

14: RASHMI SAIKIA
D/O-LT.BALO RAM SAIKIA
AGE ABOUT-43 YEARS
R/O- BHOLABORI
P/O- BHOLABORI
P/S- NARAYANPUR
DIST- LAKHIMPUR
ASSAM

15: GUNADA HAZARIKA
D/O- DIPEN HAZARIKA
AGE ABOUT-51 YEARS
R/O- MAIBELLA
P/O- MAIBELLA
P/S- MATHURAPUR
DIST- CHARAIDEO
ASSAM

16: BINABALA PHUKAN
D/O- LATE JUGEN PHUKAN
R/O-LAICHANG

P.O- DISANGPANI
DIST- CHARAIDEO
ASSAM.

17: JUNMONI PHUKAN
D/O-DURGA NATH PHUKAN
AGE ABOUT-39 YEARS
R/O-101 NO. GRANT MAIBELLA
P/O-MAIBELLA
P/S-MATHURAPUR

18: MOUSUMI PHUKAN
D/O-LT.ANIL PHUKAN
AGE ABOUT-41YEARS
R/O-MORAN
P/O-MORAN
P/S-MORANHAT
DIST-CHARAIDEO
ASSAM

19: RUBI LASKAR BORA
D/O-LT. HARENDRA LASKAR
AGE ABOUT- 45YEARS
R/O-NAGAON
P/O-URIGAON
P/S- SADAR
DIST- NAGAON
ASSAM

20: HIRANYA KUMAR BORA
S/O-NILA KANTA BORA
AGE ABOUT-47 YEARS
R/O-CHALICHALI RANGIA GAON
P/O-CHALCHALI
P/S-SAMARGURI
DIST- NAGAON
ASSAM

21: CHUMKI BORUAH
D/O-LT. KRISHNANDA BORAH
AGE ABOUT- 48 YEARS
VILL- BHOGPUR
P/O- BHOGPUR
P/S-NARAYANPUR
DIST-LAKHIMPUR
ASSAM

22: DIPASHREE PODDER

R/O-KARIMGANG
P.O- KARIMGANJ
DIST- KARIMGANJ
ASSAM.

23: DULAN DAS
VILL AND P.O-BRAHMASHAR
DIST-KARIMGANJ
ASSAM.

24: PURABI RAJKUMARI
D/O-LT. KANAK RAJKUMARI
AGE ABOUT- 47 YEARS
R/O- SANTIPUR
P/O- SONARI
P/S- SONARI
DIST- CHARAIDEO
ASSAM

25: SANKAR BORDOLOI
S/O- NIMESWAR BORDOLOI
AGE ABOUT-49 YEARS
VILL- BORAPUJIA
P/O- BORAPUJIA
P/S- RAHA
DIST- NAGAON
ASSAM

26: PHULEN CH. NATH
S/O- LT. UMA KANTA NATH
AGE ABOUT-48 YEARS
R/O- MAYENGIA
P/O-CHARAISAHI
P/S- MIKIRBHETA
DIST- MORIGAON
ASSAM.

27: KRITTEE KAMAL SAIKIA
S/O- BHOLA NATH SAIKIA
AGE ABOUT- 45 YEARS
VILL-DARANGIAL GAON
P/O- ALI KUCHI
P/S-RAHA
DIST- NAGAON

28: LAKHI PRAVA SAIKIA

AGED ABOUT 49 YEARS.
D/O- MONESWAR SAIKIA
R/O-TOWER TELIAGAON
P.O- ITACHALI
P.S- SADAR
DIST- NAGAON

29: SEWALI GOGOI
C/O-JITEU HANDIQUE
AGE ABOUT-49 YEARS
P/O- MECHAGASH
P/S-NAZIRA
DIST- SIVASAGAR
ASSAM

30: LAKHI PRASAD HAZARIKA

AGE 45 YEARS.
S/O- DINA NATH HAZARIKA
P.O- SILPHUKHURI
VILL- MIKIRBHETA

DIST- MORIGAON

31: BUDDHA BORDOLOI
R/O-KATAHJASI
P.O- BANGALPARA
DIST- MORIGAON
AGE 45 YEARS.

32: ARUP KUMAR MAITRA

AGE ABOUT-48 YEARS
VILL-BHURAGAON
P/O-BHURAGAON
P/S-BHURAGAON

DIST- MORIGAON
ASSAM

33: SAMSUDDIN AHMED
S/O- SUMAHAR ALI
VILL- JAHALGAON
P.O AND P.S- RATABARI

DIST- KARIMGANJ.

34: HARUMUZ ZAMAN AHMED

AGE- 46 YEARS.
C/O- SAKHWAT ALI
VILL-ATANAGAR
P.O- BAZARGHAT
P.S- RATABARI

35: CHITRALEKHA GOGOI
VILL- RAJAPOL
P.O- RAJAPOL
DIST- SIVASAGAR
ASSAM.

36: DOMBARU MADHAB CHETIA
S/O-LATE NARANATH CHETIA
R/O- LUKHURAKHAN
P.S- MORANHAT
DIST- CHARAAIDEO
ASSAM.

37: SOFIQUAL ISLAM
D/O-LATE PIAR HUSSAIN
R/O- NAGARBANDHA
P.S- LAHARIGHAT
DIST- MORIGAON

38: FAROOQUE AHMED

AGE 50 YEARS.
P.O- DEWAGURI
P.S- LAHARIGHAT
DIST- MORIGAON.

39: DHRUBAJYOTI SARMA

AGE 51 YEARS.
S/O-DHARMESWAR SARMA
R/O- SOLALGAON
P.O AND P.S- PANIGAON
DIST- LAKHIMPU

VERSUS

THE STATE OF ASSAM AND 8 ORS.
THE STATE OF ASSAM, REPRESENTED BY THE COMMISSIONER AND
SECRETARY TO THE GOVERNMENT OF ASSAM SECONDARY EDUCATION

DEPARTMENT, DISPUR-06.

2:THE COMMISSIONER AND SECRETARY

INDUSTRIES AND COMMERCE AND IT (INFORMATION TECHNOLOGY)
DISPUR
GUWAHATI-06.

3:THE DIRECTOR OF SECONDARY EDUCATION DEPARTMENT

GUWAHATI-06.

4:THE SECRETARY
TO THE GOVERNMENT OF ASSAM
SECONDARY EDUCATION DEPARTMENT
ASSAM.

5:THE FINANCE DEPARTMENT
REPRESENTED BY SECRETARY
DISPUR
GUWAHATI-06.

6:THE ACCOUNTANT GENERAL (A AND E)
MAIDAMGAON
BELTOLA
GUWAHATI-29.

7:THE INSPECTOR OF SCHOOLS

DARRANG
PIN-785640
ASSAM.

8:THE INSPECTOR OF SCHOOLS

LAKHIMPUR
PIN-785640
ASSAM.

9:THE INSPECTOR OF SCHOOLS

MORIGAON
PIN-785640
ASSAM.

10:THE INSPECTOR OF SCHOOLS

CHARAIDEO

PIN-785640
ASSAM.

11:THE INSPECTOR OF SCHOOLS

SIVASAGAR
PIN-785640
ASSAM.

12:THE INSPECTOR OF SCHOOLS

KARIMGANJ
PIN-785640
ASSAM.

13:THE INSPECTOR OF SCHOOLS

NAGAON
PIN-785640
ASSAM.

14:THE INSPECTOR OF SCHOOLS

KAMRUP(M)
PIN-785640
ASSA

Advocate for the Petitioner : MR B P BORAH
Advocate for the Respondent : SC, SEC. EDU.

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 03.05.2024

Heard Mr. B. P. Borah, learned counsel for the petitioners.

Also heard Mr. Bedanta Kaushik, learned standing counsel, Secondary Education Department, appearing on behalf of respondents No. 1, 3, 4, 7, 8, 9 10, 11, 12, 13 & 14; Mr. B. Deuri, learned Government Advocate; appearing on behalf of respondent No. 2; Ms. R. Baruah, learned counsel, appearing on behalf of Mr. P. Naik, learned standing

counsel representing the Finance Department, Government of Assam; and Mr. K. K. Medhi, learned counsel, appearing on behalf of Mr. S. K. Medhi, learned standing counsel representing the Accountant General(A&E), Assam, appearing on behalf of respondent No. 6.

Issue notice, returnable within 4 weeks.

As Mr. Kaushik, learned standing counsel, Secondary Education Department; Mr. Deuri, learned Government Advocate; Ms. Baruah, learned counsel; and Mr. Medhi, learned counsel, have accepted notices on behalf of their respective respondents, no formal notice is required to be sent to them. However, requisite extra copies of the writ petition be furnished to them within 3 working days from today.

On the next date of listing; Mr. Kaushik, learned standing counsel, Secondary Education Department, and Mr. Deuri, learned Government Advocate, shall place on record, their respective stand with regard to the grievance raised by the petitioner in the present proceedings.

List it after 4 weeks.

Registry shall reflect the name of the Government Advocate, Assam, in the Cause List henceforth.

JUDGE

Comparing Assistant