

GAHC010072902021



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

Case No. : WP(C)/4635/2021

NILA KANTA KALITA AND 55 ORS
S/O LT. DURGESWAR KALITA, R/O NATUN NIRMALI GAON, P.O. NIRMALI
GAON, PIN 786103, DIST. DIBRUGARH.

2: ANJANA BARUAH
W/O DEBAKANTA PHUKAN
R/O TELIAPATHER (MELENGIAL GAON)
P.O. MELENGIAL (LAHOAL)
PIN 786010
DIST. DIBRUGARH

3: TARPANA SONOWAL
W/O TARANATH SONOWAL
R/O WEST MILAN NAGAR O LANE
P.O. C.R. BUILDING
PIN 786003
DIST. DIBRUGARH.

4: DIPALI GOHAIN

W/O DUREN CH. GOHAIN
R/O CHABUA TOWN
WARD NO. B
P.O. CHABUA
DIST. DIBRUGARH
PIN 786184

5: TRILAKHIMONI GOGOI

D/O LT. LABON CH. GOGOI
RO KANJIKHOWA
P.O. KANJIKHOWA (PANITOLA)
PIN 786182
DIST. DIBRUGARH.

6: TRIPATHI REKHA SAIKIA
D/O AMULYA CH. SAIKIA
P.O. HATIBONDHA
P.S. TENGAKHAT
PIN 786186
DIST. DIBRUGARH.

7: DAYANANDA SAIKIA
D/O AMULYA SAIKIA
P.O. HATIBONDHA
P.S. TENGAKHAT
PIN 78686
DIST. DIBRUGARH

8: JAHER DUTTA
S/O JATIN DUTA
P.O. CHABUA
PIN 786184
DIST. DIBRUGARH.

9: RUNUMAI HAZARIKA
D/O LT. MINA HAZARIKA
R/O NA KHANGIA
PIN 786103
P.O. TENGAKHAT
DIST. DIBRUGARH

10: JAYANTA MADHAB GOGOI

S/O LATE JOYRAM GOGOI
R/O NAZIRA PORIYA GAON
P.O. DIKHARI KINAR
PIN 785675
DIST. DIBRUGARH.

11: BONITA DEORI

D/O LT. MADAN SH. DEORI
R/O HATIBONDHA
PIN 786186
DIST. DIBRUGARH.

12: PORAJIT BOR GOHAIN

S/O LT. THANESWAR BORGHAI
R/O PATHILIBAM GOGAIN GAON
PIN 786103

P.O. PATHILIBAM
P.S. MORAN
DIST. DIBRUGARH.

13: JITUMONI LAHON

S/O SRI BHUBAN CHANDRA LAHON
R/O BOR ABHOY PURIA
P.O. AND PS. TENGAKHAT
PIN 786103
DIST. DIBRUGARH.

14: NIJARA GOGOI
W/O LT. KHIRUD GOGOI
R/O LAHON GAON PIN 786103
P.O. BORBORUA
DIST. DIBRUGARH.

15: JYOTISH GOGOI

S/O LT. GIRIN GOGOI
R/O BURABAZAAR GAON
P.O. BORBORUAH
PIN 786103
DIST. DIBRUGARH

16: PULAK NEOG
S/O LATE BISHNU PR. NEOG
R/O NO. 1 GEREKONI
P.O. KENDUGURI
PIN 786011
DIBRUGARH

17: MRIDULA DEY

W/O SUBHAS MAZUMDAR
R/O BASBARI PAUL PATLY
PIN 786103
DIST. DIBRUGARH.

18: MOUSUMI GHARPHALIA GOGOI
W/O MR. DILIP GOGOI
R/O BANIPUR BYELANE 01
P.O. BANIPUR
PIN 78601
DIST. DIBRUGARH.

19: DIGANTA GOGOI

S/O SRI PHULESWAR GOGOI
RO DINJOY GAON
P.O. DINJOY (CHABUA)
PIN 786184
DIST. DIBRUGARH.

20: SAJAL DEBNATH
C/O LT. RAI MOHAN DEB NATH
P.O. CHABUA
PIN 786184
DIST. DIBRUGARH.

21: PALLAVI GOGOI

C/O LT. L GOGOI
R/O K.P. ROAD (CHOWKIDINGEE) PIN 786103
DIST. DIBRUGARH.

22: REETA BORGOHAIN
C/O PRAFULLA BORGOHAIN
VILL.MOHPUALI MORA
PIN 786103
P.O. MOHANAGHAT
DIST. DIBRUGARH.

23: CHITRA GOHAIN
S/O SRI BHUBAN GOHAIN
VILL. KALIABARI GAON
P.O. HATIALI (CHABUA)
PIN 786103
DIST. DIBRUGARH.

24: BIJOY SONOWAL

S/O SRI DEBEN SONOWAL
R/O NIZ MANKATTA VILL.
P.O. KANIA GAON
PIN 786103
DIST. DIBRUGARH.

25: BHASKAR DAS

S/O LT. PABITRA KUMAR DAS
R/O BANIPUR
PIN 786001
PO. BANIPUR
DIST. DIBRUGARH

ASSAM.

26: BONTI DEORI (BORUAH)
W/O MR. UTPAL DEORI
R/O CHIRING CHAPORI
P.O. PIN 786103
DIST. DIBRUGARH.

27: REETA KONWAR
R/O LACHIT NAGAR
P.O. KADAMONI (PATHN PARTY) PIN 786103
DIST. DIBRUGARH.

28: PIJUMONI CHETIA
W/O PUNA CHETIA
R/O GELADISANG GAON
P.O. SHALMARI
PIN 786610
DIST. DIBRUGARH.

29: CHANDAN CHETIA
S/O LT. THANESWAR CHETIA
R/O ELADISANG GAON
P.O. SHALMARI
PIN 786610
DIST. DIBRUGARH
ASSAM.

30: ARCHANA SAIKIA

D/O LT. SARBANANDA SAIKIA
R/O NAHARKATIA AMOLAPATI
P.O. NAHARIKA
PIN 786103
DIST. DIBRUGARH
ASSAM.

31: AMRIT LONGPOTIA
S/O PREM KANTA LONGPOTIA
R/O SASONI VILL.
P.O. GOJPURIA
PIN 786103
DIST. DIBRUGARH
ASSAM.

32: CHAYAMONI HAZARIKA
W/O LOHIT GOGOI
R/O SANTIPUR VILL.

P.O. SASONI
PIN 786103 DIST. DIBRUGARH
ASSAM.

33: SUNIL TAMULI
S/O LT. KAMAL TAMULI
R/O AMGURI VILL. PIN
P.O. DIBRU AMGURI
DIST. DIBRUGARH
ASSAM.

34: JINTU MONTRY
S/O LT. LAKHINATH MONTRY
R/O DEWDHAI VILL. P.O. SASONI
PIN 786103
DIST. DIBRUGARH
ASSAM.

35: REBOT GOGOI

C/O LT. NANDESWAR GOGOI
R/O KADAMONI VILL
P.O. SHAKMARI
PIN 786103
DIST. DIBRUGARH
ASSAM.

36: PURABI BARUAH

S/O HERAMBA BARUAH
R/O WEST MILAN NAGAR
P.O. C.R. BUILDING
PIN 786003
DIST. DIBRUGARH
ASSAM.

37: PARINITA BORGOHAIN

W/O SRUJYA BORGOHAIN
R/O MORAN MIRIHOLLA
P.O. MORANHAT
PIN 786103 DIST. DIBRUGARH
ASSAM.

38: PUSPA CHANGMAI

D/O LT. BENUDHAR CHANGMAI
R/O LENGARI NA CHANGMAI GAON

PIN 786103
P.O. LENGERI BAZAR
DIST. DIBRUGARH
ASSAM.

39: BHABANI BAGLARY

S/O LT. PARASURAM BAGLARY
R/O TINSUKIA GAON
PIN 786103
P.O. LALMATI
DIST. DIBRUGARH
ASSAM.

40: UMA SHANKAR SAHU

S/O LT. GAYA PRASAD SAHU
R/O GRAHAM BAZAR (NEAR TELIPHONE EXCHANGE) PIN 786103
P.O. DIST. DIBRUGARH

41: TANKESWAR GOGOI

S/O LT. MULUKA GOGOI
R/O ALIA CHUK GAON
P.O. KOTOHA
PIN 786103
DIST. DIBRUGARH
ASSAM.

42: PABITRA GOHAIN

S/O LT. NABIN GOHAIN
R/O JAMIRAH MOTTOCK GAON
P.O. JAMIRAH
DIST. DIBRUGARH
PIN 786004

43: ARVIND KUMAR SINGH

S/O NAND KISHORE SINGH
R/O PALTAN BAZAR (NEAR SHRISTRI HOSPITAL)
P.O. JALAN NAGAR
PIN 786103
DIST. DIBRUGARH
ASSAM.

44: GIRIJA MOHAN CHETIA

S/O SRI SHISURAM CHETIA
P.O. JAMIRAH
PIN 786004
DIST. DIBRUGARH
ASSAM.

45: LAIKAT ALI

S/O LT. RAMJAN ALI
R/O NAOHOLIA BAZAR
PIN 786191
P.O. NAOHOLIA
DIST. DIBRUGRH
ASSAM.

46: RADHA CHETRI

W/O KARNA BAHADUR CHETRI
R/O NAOHOLIA BAZAR
PIN 786191
P.O. NAOHOLIA
DIST. DIBRUGARH
ASSAM.

47: ARCHANA LAHON
D/O JOGESH LAHON
R/O LAHOAL
PIN 786010
DIST. DIBRUGARH
ASSAM.

48: NIVA DEORI

W/O LT. JUGENDRA DEORI
R/O NATUN NIRMALI GAON
P.O. NIRMALI GAON
PIN 786010
DIST. DIBRUGARH
ASSAM.

49: BIJAYA GOHAIN
D/O LATE BIRESWAR GOHAIN
R/O RUPNAGAR NAMGHAR PATH
P.O. C.R. BUILDING
PIN 786003
DIST. DIBRUGARH.

50: SWAPNA PHUKAN CHANGMAI

R/O UDAIPUR
CHOWKIDINGHEE
PIN 786003
DIST. DIBRUGARH

51: PRABIN DEORI
S/O MONGAL DEORI
R/O WEST MILAN NAGAR
P.O. C.R. BUILDING
PIN 786103
DIST. DIBRUGARH.

52: JOYSHREE GOGOI

W/O SANJAL KONWAR
R/O GODAPANI TINIALI
P.O. BEHEATING TINIALI
PIN 786103
DIST. DIBRUGARH.

53: SANKAR TANTI

S/O PROCHIA TANTI
R/O PANITOLA
P.O. PANITOLA
PIN 786103
DIST. DIBRUGARH.

54: RATAN CH. PAUL

S/O JOGENDRA KR. PAUL
R/O CHABUA TOWN
WARD B
PIN 786103
P.O. CHABUA
DIST. DIBRUGARH.

55: NILOPHER DOWARAHA DEORI

W/O LT. DR. INDRAJIT DEORI
R/O CHIRING CHAPORI
SADASIVA PATH
PIN 786103
P.O. DIST. DIBRUGARH.

56: ANJUMONI GOGOI

D/O RATUL DEHINGIA
R/O MORAN LACHIT NAGAR
P.O. MORANHAT
PIN 786103
DIST. DIBRUGAR

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY ITS COMMISSIONER AND SECY. EDUCATION DEPTT.
(ELEMENTARY) TO THE GOVT. OF ASSAM, DISPUR 06

2:THE DIRECTOR OF ELEMENTARY EDUCATION

KAHILIPARA
GUWAHATI 19

3:THE PRINCIPAL SECY.

FINANCE DEPTT.
DISPUR
GUWAHATI 06

4:THE INSPECTOR OF SCHOOLS
DIBRUGARH
DIST. DIBRUGARH
ASSAM

Advocate for the Petitioner : MR B P BORAH

Advocate for the Respondent : SC, ELEM. EDU

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

07.11.2023

Heard Mr. B.P. Borah, learned counsel for the petitioner and Mr. N.J. Khataniar, learned Standing Counsel for the School Education Department.

The learned Standing Counsel for the School Education Department prays for some more time to file the affidavit-in-opposition in the matter.

This writ petition is of the year 2021 and notice of motion was issued on 01.11.2021. While granting time to the School Education Department to file the affidavit-in-opposition, it is provided that in the event the affidavit-in-opposition is not filed within 04.12.2023, the following Officers of the School Education Department shall be personally present before this Court with all the relevant records on 06.12.2023. The Officers whose personal appearance would be required on failure to file the affidavit-in-opposition is-

1. The Secretary to the Government of Assam, Education (Elementary) Department - (respondent no.1);
2. The Director of Elementary Education, Assam -(respondent no.2);
3. The Principal Secretary to the Government of Assam, Finance Department - (respondent no.3) and
4. The Inspector of Schools, Dibrugarh (respondent no.4).

List on 06.12.2023 for personal appearance of the Officers in case the affidavit-in-opposition is not filed.

The learned Standing Counsel for the School Education Department is permitted to send the downloaded copy of this order to the concerned authorities to bring the order to their notice.

JUDGE

Comparing Assistant