

GAHC010099352026



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

**Case No. : WP(C)/2861/2026**

SMTI PRATIBHA KALITA W/O - JITENDRA NATH KALITA, R/O VILLAGE -  
MEDHI KUCHI, P.O. - HASTINAPUR, DISTRICT - BAJALI, ASSAM, PIN -  
781325. WORKING AS ASSISTANT TEACHER IN BARBARI KAHARA HIGH  
MADRASSA

VERSUS

THE STATE OF ASSAM, REPRESENTED BY THE COMMISSIONER AND  
SECRETARY TO THE GOVT. OF ASSAM, EDUCATION ELEMENTARY  
DEPARTMENT, DISPUR, GUWAHATI-6.

2:THE SECRETARY TO THE GOVT OF ASSAM  
FINANCE BUDGET DEPARTMENT DISPUR GUWAHATI-6

3:THE DIRECTOR OF SECONDARY EDUCATION  
ASSAM KAHILIPARA GUWAHATI-1

**Advocate for the Petitioner** : MS. K DAS, MRS. K DEVI  
**Advocate for the Respondent** : SC, ELEM. EDU, SC, FINANCE

**BEFORE**  
**HONOURABLE MR. JUSTICE BUDI HABUNG**

**ORDER**

**Date : 03.06.2026**

Heard Ms. K. Devi, learned counsel, appearing on behalf of the petitioner. Also heard Mr. G. Pegu, learned standing counsel, Elementary Education Department, appearing on behalf of respondent No. 1; Ms. R. M. Baruah, learned standing counsel, Finance Department, appearing on behalf of respondent No. 2; and Mr. U. Sarma, learned standing counsel, Secondary Education Department, appearing on behalf of respondent No. 3.

**2.** The petitioner is aggrieved by the condition in her appointment whereby she has been debarred from the purview of the Assam Services (Pension) Rules, 1969, and she, therefore, prays for a direction to set aside the same.

**3.** Issue notice.

**4.** As Mr. Pegu, learned standing counsel, Elementary Education Department; Ms. Baruah, learned standing counsel, Finance Department; and Mr. Sarma, learned standing counsel, Secondary Education Department, have appeared and accepted notice on behalf of their respective respondents, no formal notice is required to be issued to the said respondents. However, they shall be furnished with the requisite extra copies of the petition during the course of the day.

**5.** It is submitted by Ms. Devi, learned counsel for the petitioner, that similarly situated persons had approached this Court by way of filing writ petitions being WP(c)6893/2021 and WP(c)882/2023 and against the dismissal order dated 31.03.2023 passed by the Hon'ble Court in the above-noted writ petitions, the petitioners have preferred a writ appeal being W.A. No. 171/2023 and the same has been fixed on 16.07.2026 and she, therefore, prays that this matter may also be listed along with W.A. No. 171/2023.

**6.** Prayer, as sought for, is granted.

**7.** As requested by the learned counsels for the parties; list the matter along with W.A. No. 171/2023 on 16<sup>th</sup> of July, 2026.

**JUDGE**

**Comparing Assistant**