

GAHC010100352022



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

Case No. : WP(C)/3521/2022

MD.AZIZUL HOQUE
HEAD TEACHER, DAKHIN KADAMONI PATHER VLP SCHOOL, VILL.
KADAMONI PATHER, P.S. BATADRAVA, DIST.- NAGAON, ASSAM. PIN-
782123.

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, EDUCATION (ELEMENTARY) DEPARTMENT, DISPUR,
GUWAHATI-6.

2:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19..

3:THE MISSION DIRECTOR SSA
ASSAM
KAHILIPARA
GUWAHATI-19.

4:THE DEPUTY COMMISSIONER
NAGAON
P.O.
P.S. AND DIST.- NAGAON
ASSAM.

5:DISTRICT MISSION CO-ORDINATOR-CUM-DISTRICT ELEMENTARY
EDUCATION OFFICER
NAGAON
P.O.
P.S. AND DIST.- NAGAON
ASSAM.

6:THE SUB-INSPECTOR (S.I.) OF SCHOOLS
BATADRAVA CIRCLE
DIST.- NAGAON
ASSAM

Advocate for the Petitioner : MR. Z HAMMAD,

Advocate for the Respondent : SC, ELEM. EDU, SC, SSA,GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO

ORDER

Date : 05.08.2025

Heard Mr. Z. Hammad, learned counsel for the petitioner, who submits that by filing this writ petition, the petitioner prays for provincialisation of petitioner's School by giving back the DISE Code and also by setting aside the impugned Speaking Order dated 28.04.2022 (Annexure – 24). It is seen that against the writ petition the Elementary Education Department has filed only an additional-affidavit and no response has been made to the averments made in the paragraph of the writ petition.

2. Under the circumstance, having regard to the ground for rejecting the provincialisation of the petitioner's School and the averments made in Paragraph No. 13 of the writ petition, the respondent, Elementary Education Department is required to file a detailed affidavit and for which 3 (three) weeks' time is granted.

3. List the matter again after 3 (three) weeks, on a date to be fixed by the Registry.

4. The respondent, Elementary Education Department, shall file affidavit-in-

opposition as directed here-in-above before the next date.

5. Liberty is also granted to the petitioner to file reply to the additional-affidavit filed by the Elementary Education Department.

JUDGE

Comparing Assistant