

GAHC010103662024



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

Case No. : WP(C)/2788/2024

SUNIL KAKATI
SON OF LATE HUMESWAR KAKATI,
R/O- LAGUWATI ROUMORA,
P.S.- MAJULI GARAMUR,
DIST.- MAJULI, ASSAM,
PIN- 785104.

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,
DEPARTMENT OF SCHOOL EDUCATION,
DISPUR, GUWAHATI- 781006.

2:THE DIRECTOR
SECONDARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19.

3:THE SCRUTINY COMMITTEE (SECONDARY)
REPRESENTED BY THE CHAIRMAN
I.E.
THE DEPUTY COMMISSIONER (EDUCATION)
GOLAGHAT
ASSAM
PIN- 785621.

4:THE HEADMASTER
MAMORANI PANCHARATNA HIGH SCHOOL
NA-BHANGA
P.S.- DERGAON
DIST.- GOLAGHAT
ASSAM

PIN- 785614.

5:THE DEPUTY COMMISSIONER
GOLAGHAT
ASSAM
PIN- 785614.

6:THE INSPECTOR OF SCHOOLS
GDC
GOLAGHAT
PIN- 785614.

7:DIPIKA BARUKIAL
D/O- SRI JEURAM BARUKIAL
RESIDENT OF DADHORA AHOM GAON
P.S.- DADHARA
P.S. - DERGAON
DIST.- GOLAGHAT
ASSAM
PIN- 785614

Advocate for the Petitioner : MR. A DEKA, MR N SARMA,MR. R BORUAH

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

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO**

ORDER

Date : 05-01-2026

This matter has a chequered history. The private respondent No. 7 has filed 2 (two) writ petitions while the instant writ petitioner has filed 3 (three) writ petitions including the present one. The matter relates to claim for provincialisation of service against 3rd Assistant Teacher (Arts) which was kept vacant due to pendency of Court case as reflected in the post creation order dated 03.06.2013. The respondent No. 7 was provincialised against the said post vide order dated 07.01.2025.

According to the petitioner, despite the recommendation made in his favour by the District Scrutiny Committee having been cancelled on 07.01.2015 (Annexure-P) the provincialisation order was passed in favour of the respondent No. 7 on 07.01.2015. Since the respondent No. 7 had retired from service on 30.07.2023, notice to her was deferred vide order dated 31.05.2024.

Mr. A Deka, learned counsel for the petitioner submits that the petitioner does not have any claim against the respondent No. 7, as on date and that the petitioner is willing to accept prospective provincialisation in the event the writ petition is decided in his favour.

Considering the above submissions, list the case on 29.01.2026 for admission hearing.

JUDGE

Comparing Assistant