

GAHC010105042026



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

Case No. : WP(C)/2822/2026

BASANTA BARMAN
SON OF LATE GOPI RAM BARMAN, RESIDENT OF VILL- KHARUAJAN, P.O.-
KHARUA, P.S.- BARAMA, DIST- BAKSA, BTR, ASSAM, PIN-781346.

VERSUS

THE STATE OF ASSAM AND 5 ORS
TO BE REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, SECONDARY EDUCATION DEPARTMENT,
DISPUR, GHY-06.

2:THE SECRETARY TO THE GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-06.

3:THE DIRECTOR
SECONDARY EDUCATION DEPARTMENT
ASSAM
KAHILIPARA
GUWAHATI-19

4:THE DIRECTOR OF EDUCATION
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR
P.O. AND DIST- KOKRAJHAR
BTR
ASSAM

5:THE INSPECTOR OF SCHOOLS
BDC
MUSHALPUR

PO- MUSHALPUR
DIST- BAKSA
BTR
ASSAM

6:THE PRINCIPAL
BARAMA H.S. SCHOOL
BARAMA
P.O.- BARAMA
DIST- BAKSA
BTR
ASSA

Advocate for the Petitioner : MR. A R BHUYAN, MISS S ZAMAN,MR S ABDULLAH

Advocate for the Respondent : SC, SEC. EDU., SC, BTC,SC, FINANCE

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

01.06.2026

Heard Mr. A. R. Bhuyan, learned Senior Counsel, assisted by Mr. A. Abdullah, learned counsel, for the petitioner. Also heard Mr. P. P. Dutta, learned Standing Counsel, Secondary Education, for respondent Nos. 1 & 3; Ms. R. M. Baruah, learned Standing Counsel, Finance Department, for respondent No. 2; and Mr. B. C. Mushahary, learned Standing Counsel, BTC, for respondent Nos. 4, 5 & 6.

2. The present writ petition is filed under Article 226 of the Constitution of India, assailing the impugned regularisation order dated 31.03.2022, issued by the Director of Education, Bodoland Territorial Council, Kokrajhar, whereby the service of the petitioner was regularised with prospective effect, i.e., from 31.03.2022. The grievance of the petitioner is that, since he has served the

department continuously and without interruption since 17.07.2000, his regularisation should be made retrospective with effect from 17.07.2000, along with all other consequential service and financial benefits. By this writ petition, the petitioner seeks a direction to modify the impugned orders dated 31.03.2022 and 08.12.2021 by granting retrospective regularisation effective from 17.07.2000.

- 3.** Issue notice to the respondents, returnable within four (4) weeks.
- 4.** Since Mr. P. P. Dutta, learned Standing Counsel, Secondary Education; Ms. R. M. Baruah, learned Standing Counsel, Finance Department; and Mr. B. C. Mushahary, learned Standing Counsel, BTC, have entered appearance and accepted notice on behalf of respondent Nos. 1 & 3, 2, and 4, 5 & 6, no formal notice is required to be issued to the said respondents. However, they shall be provided with the requisite extra copy of the petition within one week from today.
- 5.** List the matter after **4(four) weeks**.

JUDGE

Comparing Assistant