

GAHC010108202023



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

Case No. : WP(C)/2861/2023

MRIDULA BHATTACHARJEE
D/O MANORANJAN BHATTACHARJEE, W/O MANASH PRATIM GAUTAM,
R/O SAMANNAY PATH, SURVEY BELTOLA, P.O. AND P.S.-BASISTHA, DIST-
KAMRUP (M), ASSAM, PIN-781028

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM,
EDUCATION (SECONDARY) DEPARTMENT, DISPUR, GUWAHATI-06

2:THE DIRECTOR OF SECONDARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI
ASSAM
PIN-781019

3:JURUTI CHOUDHURY
C/O THE DIRECTOR
SECONDARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19

4:SALEHA JANNAT
C/O THE DIRECTOR
SECONDARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19

5:PALASHI DEVI
C/O THE DIRECTOR
SECONDARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19

6:JYOTIREKHA BORAH
C/O THE DIRECTOR
SECONDARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-1

Advocate for the Petitioner : MR. M U MAHMUD

Advocate for the Respondent : SC, SEC. EDU.

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

24.05.2023

Heard Shri MU Mahmud, learned counsel for the petitioner.

The matter pertains to a recruitment process for appointment of Graduate Teachers (Arts).

There was a requirement that to be eligible for such consideration, the candidates have to secure more than 50% or more marks in either Graduation or Post-Graduation.

The case of the petitioner is that though she secured 42.56% in her Graduation, in her Post-Graduation, she had secured 49.56% which were done by regular mode. The allegation made is that certain candidates, who have been made party by name, have secured less than 40% marks in the Graduation and therefore, could not pursue the Master Degree through a regular mode and accordingly have done their Master Degree only by distant mode. Though the marks obtained by such candidates in the

Post-Graduation is not known to the petitioner, it is submitted that the very fact that such candidates had to opt for distant mode would demonstrate that if those candidates could be offered the appointment, the case of the petitioner should also have been considered.

Issue Notice, returnable by 4 weeks.

Shri B Kaushik, learned Standing Counsel, Education (Elem.) Department, Assam accepts notice on behalf of the respondent nos. 1 and 2.

Let extra copy of the writ petition be served upon the learned Standing Counsel by tomorrow i.e., 25.05.2023.

Let steps be taken for service of notice upon the respondent nos. 3, 4, 5 and 6 by registered post with A/D within 3 days.

On the returnable date, the marks secured by the private respondents in their Graduation and Post-Graduation may be placed on records.

Accordingly, list this case after 4 weeks.

JUDGE

Comparing Assistant