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

Case No. : WP(C)/2954/2026

HAFIZUR RAHMAN S/O ABDUL MALEUE, R/O VILL- JHUNKAIPARA, P.O.-
SHIMLABARI, P.S -BAGUAN DISTRICT GOALPARA, ASSAM.

VERSUS

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

2:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF HIGHER EDUCATION DISPUR GUWAHATI-6.

3:THE DIRECTOR OF THE HIGHER EDUCATION
ASSAM KAHILIPARA GUWAHATI-19.

4:THE PRINCIPAL OF WEST GOALPARA COLLEGE
AMBARI DISTRICT- GOALPARA ASSAM.

5:RABIUL ISLAM MOLLAH S/O LATE ABDUL MOLLAH R/O VILL.-
BAPUJINAGAR PART-II P.O.- BALADMARI. P.S.- GOALPARA
DISTRICT- GOALPARA ASSAM 783120

Advocate for the Petitioner : MR H DAS, D BARUAH
Advocate for the Respondent : SC, HIGHER EDU,

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 08.06.2026

Heard Mr. H. Das, learned counsel for the petitioner. Also heard Mr. S. Bhuyan, learned standing counsel, Higher Education Department, appearing on behalf of respondents No. 1, 2 & 3.

2. The petitioner is serving as a Lecturer/Assistant Professor in the Department of Political Science in the West Goalpara College w.e.f. 04.03.2004 against a non-sanctioned post. The petitioner contends that his name appeared at Serial No. 8 in the Final List published by the Directorate of Higher Education Department, on 30.01.2028, for appointment against the vacant sanctioned post of Assistant Professor for the purpose of regularization of the service of teachers serving against non-sanctioned posts. However, due to the interim order dated 13.03.2020, passed in WP(c)1956/2020, the appointment of the petitioner could not be effected. Subsequently, though by order dated 02.06.2022, the said interim order dated 13.03.2020, has been vacated, but, the main case i.e. WP(c)1956/2020, is still pending disposal.

3. By way of filing the present writ petition under Article 226 of the Constitution of India, the petitioner prays for a direction to regularize his service against the sanctioned post of Assistant Professor in the Department of Political Science in the West Goalpara College in terms of the order dated 30.01.2018, along with all consequential benefits.

4. Having regard to the submissions made by the learned counsel for the petitioner and upon perusal of the materials placed on record, let a notice of motion be issued to the respondents to show cause as to why a writ in the nature of mandamus and/or certiorari should not be issued as prayed for, and/or as to why such other order or orders as this Court may deem fit and proper, should not be passed in the facts and circumstances of the case. The notice is made returnable within 2(two) weeks.

5. As Mr. Bhuyan, learned standing counsel, Higher Education Department, has appeared and accepted notice on behalf of respondents No. 1, 2 & 3, no formal notice is required to be issued to the said respondents. However, he shall be

furnished with the requisite extra copies of the petition within 2(two) days from today.

6. Learned counsel for the petitioner shall take necessary steps for causing service of notice upon the respondents No. 4 & 5 by Speed Post as well as by usual process within a week from today.

7. As requested by the learned counsel for the parties; list it along with WP(c)1956/2020 after 2(two) weeks on a date to be fixed by the Registry.

8. The prayer for an interim order shall be considered on the next date of listing.

JUDGE

Comparing Assistant