

GAHC010116062026



undefined

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

Case No. : WP(C)/3123/2026

MASTER TUSHAR RANJAN BARUAH
REPRESENTED BY HIS FATHER SRI PALASH RANJAN BARUAH, RESIDENT
OF KATAHBARI, P.O. AND P.S.-GARCHUK, IN THE DISTRICT KAMRUP
METRO, ASSAM, PIN- 781035.

VERSUS

THE STATE OF ASSAM AND 10 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY, SECONDARY
EDUCATION DEPARTMENT, DISPUR, GUWAHATI-781006, KAMRUP METRO,
ASSAM

2:THE STATE BANK OF INDIA
REPRESENTED BY THE GENERAL MANAGER
LOCAL HEAD OFFICE
DISPUR
GUWAHATI-781006
KAMRUP METRO
ASSAM

3:STATE BANK OF INDIA OFFICERS ASSOCIATION
(NORTH-EASTERN CIRCLE)
REPRESENTED BY SETHI TRUST BUILDING
2ND FLOOR
UNIT- III
G.S. ROAD
BHANGAGARH
GUWAHATI
ASSAM- 781005.

4:THE PRINCIPAL

STATE BANK OF INDIA OFFICERS ASSOCIATION (SBOA) PUBLIC SCHOOL
GARCHUK
GUWAHATI-781035
KAMRUP METRO
ASSAM

5:THE DISTRICT COMMISSIONER
KAMRUP METRO CUM CHAIRMAN
DISTRICT LEVEL IMPLEMENTATION AND MONITORING COMMITTEE
HAVING ITS OFFICE IN HENGRABARI
DISPUR
GUWAHATI-781006.

6:THE ADDITIONAL DISTRICT COMMISSIONER (EDUCATION)
OFFICE OF THE DISTRICT COMMISSIONER
KAMRUP METRO
DEVELOPMENT BRANCH
KAMRUP METRO AT GUWAHATI.

7:THE REGIONAL OFFICER
CBSE
GUWAHATI
PANJABARI
GUWAHATI-781037

8:THE ASSAM STATE COMMISSION FOR PROTECTION OF CHILD RIGHTS
REPRESENTED BY THE CHAIRMAN
HAVING ITS OFFICE AT SURVEY
BELTOLA
GUWAHATI-781028.

9:THE EXECUTIVE MAGISTRATE
OFFICE OF THE CO-DISTRICT COMMISSIONER
JALUKBARI CO-DISTRICT
KAMRUP METRO
GUWAHATI
PIN-781013.

10:THE DIRECTOR

SECONDARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-781019
KAMRUP METRO
ASSAM

11:INSPECTOR OF SCHOOLS

KAMRUP METRO
ASSAM
KAHILIPARA
GUWAHATI-781019

Advocate for the Petitioner : DR. A CHAMUAH, MRS. K BARPUZARI,MR. S D ROY, Y N MAHANTA,MS. R DEVI

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

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 15.06.2026

Heard Mr. A. Chamuah, learned counsel for the petitioner.

The petitioner, a minor student of Class-IX represented by his father, has instituted the present writ petition alleging that he has been debarred from attending school for non-payment of fees.

The petitioner is a student of Class-IX in State Bank Officers' Association Public School, Gorchuk, Guwahati. By a communication dated 23.05.2026, the Principal In-charge of the said school demanded payment of an amount of Rs. 1,35,775/-, being the outstanding dues payable by the petitioner, and directed to clear the said dues.

It is the contention of the petitioner that the aforesaid amount, which has been shown to be outstanding dues, had already been waived pursuant to the

order of the District Commissioner, Kamrup(M), and Assam State Commission for Protection of Child Rights.

Mr. A. Chamuah, learned counsel for the petitioner, submits that debarring the petitioner from attending school solely on the ground of non-payment of fees, which has already been waived, is in clear violation of the right guaranteed under Article 21A of the Constitution of India.

Issue notice, returnable within 2 (two) weeks.

As Ms. P. Das, learned Standing Counsel, Secondary Education Department, for respondent Nos. 1, 10 & 11; Ms. A. Phukan, learned State Counsel for respondent Nos. 5, 6 & 9; and Ms. R. Bora, learned Standing Counsel, Central Board of Secondary Education (CBSE), for respondent No. 7, enter appearances and accept notice on behalf of their respective respondents, no formal notice need be served to the said respondents. However, they shall be furnished with requisite extra-copies of the petition.

Learned counsel for the petitioner to take steps for service of notice upon respondent Nos. 2, 3 & 4 by Dasti mode, which shall be routed through the Registry of this Court, and shall thereafter file an affidavit regarding proof of such service.

Considering that the petitioner appears to have been debarred from attending school solely on account of non-payment of outstanding school fees and having regard to the academic interest and educational career of the minor

student, it is directed that respondent Nos. 3 and 4, the authorities of State Bank Officers' Association Public School, shall provisionally permit the petitioner to attend classes and continue his studies until further orders of this Court.

List the matter after 2 (two) weeks.

JUDGE

Comparing Assistant