

GAHC010117562026



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

Case No. : WP(C)/3146/2026

SRI PRAHLAD CH NATH AND 5 ORS
C/O- ANANDI NATH, R/O VILL -MARIPUR ANANDAPUR, P.O.-
NITYANANDA, P.S. PATACHARKUCHI, DIST.- BAJALI, ASSAM, PIN- 781329

2: NIRMAL KALITA
S/O BHADRESWAR KALITA
R/O VILL MARIPUR ANANDAPUR
P.O.- NITYNANDA
P.S.- PATACHARKUCHI
DIST.- BAJALI
ASSAM
PIN- 781329

3: HRIDAY CHOUDHURY
S/O LT PRAFULLA CHOUDHURY
R/O VILL BARBANG CHOUKHUTY
P.O. BARBANG
P.S. PATACHARKUCHI
DIST- BAJALI
ASSAM
PIN- 781329

4: SANJAY KUMAR DAS
S/O SARAT CH DAS
R/O VILL UZAN ULUNDA
P.O. DAISINGRI (NITYNANDA)
P.S. PATACHARKUCHI
DIST. BAJALI
ASSAM
PIN 781329

5: SABITA GOSWAMI
C/O- LT. MANIKANTA GOSWAMI
R/O VILL- GOSAIPARA

P.O. NITYNANDA
P.S. PATACHARKUCHI
DIST.- BAJALI
ASSAM
PIN- 781329

6: RANJIT KALITA
C/O LATE DEBENDRA KALITA
R/O VILL- BANIA GAON
P.O. NITYANANDA
DIST- BAJALI
ASSAM
PIN- 78132

VERSUS

STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, EDUCATION (SECONDARY) DEPARTMENT,
DISPUR, GHY 781006

2: THE DIRECTOR OF SECONDARY EDUCATION
KAHILIPARA
ASSAM
GUWAHATI 781019

3: THE SCREENING COMMITTEE
REPRESENTED BY ITS CHAIRMAN
OFFICE OF THE BOARD OF SECONDARY EDUCATION
(NOW ASSAM STATE SCHOOL EDUCATION BOARD)
ASSAM
BAMUNIMAIDAM
GHY- 21

4: THE ASSAM STATE SCHOOL EDUCATION BOARD
REPRESENTED BY ITS CHAIRMAN
BAMUNIMAIDAM
GHY -21

5: THE INSPECTOR OF SCHOOLS
BARPETA
BDC
DISTRICT- BARPETA (NOW BAJALI)
ASSAM
PIN 78130

Advocate for the Petitioner : MR D C NATH, MR. M MONDAL

Advocate for the Respondent : SC, SEC. EDU., SC, SEBA

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 17.06.2026

Heard Mr. D. C. Nath, learned counsel for the petitioners.

Challenge made in this writ petition is the order dated 06.12.2025, passed by the Director of Secondary Education, Assam, whereby the claim of the petitioners for provincialisation of their services pursuant to the direction of this Court dated 12.04.2023, passed in WP(C) No. 4735/2022, has been rejected.

It is the contention of the petitioners that they were appointed as Subject Teachers in Vidyabhawan Nityananda Higher Secondary School in the year 2003 and are entitled to be provincialised as per the provisions of the Assam Education (Provincialisation of Services of Teachers and Re-organisation of Educational Institutions) Act, 2017. Since the petitioners were appointed in the year 2003, they have completed more than 6 (six) years of continuous service as on 01.01.2017 and therefore, the rejection of their claim on the ground that they had not rendered 6 (six) years of continuous service as on 01.07.2017 is contrary to the records.

Issue notice, returnable by 4 (four) weeks.

Since Mr. S. M. T. Chistie, learned Standing Counsel, Elementary Education Department, for respondent Nos. 1, 2 & 5, and Ms. P. Devi, learned Standing Counsel, ASSEB, for respondent Nos. 3 & 4, enter appearances and accept notices on behalf of all the respondents, no formal notice need be served upon the respondents. However, they shall be furnished with requisite extra-copies of the petition.

List the matter after 4 (four) weeks.

JUDGE

Comparing Assistant