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

**Case No. : WP(C)/3140/2026**

JITUMONI BORUAH  
SON OF SRI GIRISH BORUAH, VILLAGE-MAHDHOWA, P.O. GANDHIA  
TINIALI, DISTRICT-LAKHIMPUR, PIN- 787058, ASSAM

VERSUS

THE STATE OF ASSAM AND 6 ORS  
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,  
DEPARTMENT OF SCHOOL EDUCATION, DISPUR, GUWAHATI-781006

2:THE SECRETARY TO THE GOVT OF ASSAM

HIGHER EDUCATION DEPARTMENT  
DISPUR  
GUWAHATI-781006

3:THE DIRECTOR OF HIGHER EDUCATION  
ASSAM  
KAHILIPARA  
GUWAHATI-781019.

4:THE STATE LEVEL SCRUTINY COMMITTEE  
REPRESENTED BY THE DIRECTOR OF HIGHER EDUCATION  
ASSAM AS CHAIRMAN  
GUWAHATI  
PIN-781019

5:THE DISTRICT SCRUTINY COMMITTEE  
REPRESENTED BY ITS CHAIRMAN CUM DISTRICT COMMISSIONER  
MORIGAON  
DISTRICT  
PIN- 782001

ASSAM

6:THE PRINCIPAL  
MACHKHOWA DEGREE COLLEGE  
DHEMAJI  
PIN-787058  
ASSAM

**Advocate for the Petitioner** : MR. A DEKA, MS. M K SHARMA

**Advocate for the Respondent** : GA, ASSAM, SC, HIGHER EDU

**BEFORE  
HONOURABLE MR. JUSTICE KARDAK ETE**

**ORDER**

**Date : 15.06.2026**

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

2. By filing this writ petition, the petitioner has prayed for provincialisation of his service as Assistant Professor in the Department of English of Machkhowa Degree College, Dhemaji under the provisions of the Assam Education (Provincialisation of Services of Teachers and Re-organisation of Educational Institutions) Act, 2017.

3. It is the case of the petitioner that the Director of Higher Education, Assam, on the recommendation of the State Level Scrutiny Committee, has forwarded the proposal for sanction of 116 posts for provincialisation of services of Tutor Principals, Assistant Professors and Tutor Assistant Professors in respect of 59 newly provincialised colleges, vide letter dated 18.08.2023, wherein the name of the petitioner appears at Serial No.14 of the recommended list of 17 Assistant Professors.

4. It is submitted that despite recommendation by the appropriate authority, the respondent authorities are yet to consider and provincialise the service of the petitioner.

Issue notice, returnable by 4 (four) weeks.

5. Since S. Bhuyan, learned Standing Counsel, Higher Education Department has appeared and accepted notice on behalf of respondents No. 1, 2, 3 and 4 and Mr. G. Pegu, learned State counsel

appears for the respondent No.5, no formal notice is required to be issued to the said respondents.

6. However, requisite extra copies of the writ petition be furnished to the learned counsel for the respondents within 3 (three) working days from today.

7. The learned counsel for the petitioner to take steps for service of notice upon the respondent No.6 by speed post as well as usual process within 3 (three) working days from today.

8. Considering that the petitioner is stated to have been allowed to continue as Assistant Professor in the Department of English of Machkhowa Degree College, Dhemaji, and further considering that the Scrutiny Committee has recommended his case and pursuant thereto the Director has forwarded the proposal for provincialisation of services of Assistant Professors, including the petitioner, it is directed that, till the next returnable date, the service of the petitioner shall not be disturbed.

**JUDGE**

**Comparing Assistant**