

GAHC010119872023



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

**Case No. : WP(C)/4431/2023**

BHUPEN CHANDRA SAIKIA AND 25 ORS  
(RTD. ASSTT. HEAD MASTER OF NOVODOI HIGH SCHOOL, PANBARI,  
LAKHIMPUR)  
S/O-LATE GHANASHYAM SAIKIA,  
R/O-VILL. AND P.O-PANBARI,  
DISTRICT- LAKHIMPUR, ASSAM.

2: SRI RAM PRASAD SAHU  
(RTD. ASSTT. TEACHER OF NOVODOI HIGH SCHOOL  
PANBARI  
LAKHIMPUR)  
S/O-LATE BANASHI SAHU

R/O-VILL- AND P.O-PANBARI

DISTRICT- LAKHIMPUR  
ASSAM.

3: MRS. BASANTI BHAGAWATI  
(RTD. ASSTT. TEACHER OF NOVODOI HIGH SCHOOL  
PANBARI  
LAKHIMPUR)  
W/O-RADHA GOSWAMI

R/O-VILL. AND P.O-PANBARI

DISTRICT- LAKHIMPUR  
ASSAM.

4: BANTI DEVI  
(RTD. ASSTT. TEACHER OF NOVODOI HIGH SCHOOL  
PANBARI  
LAKHIMPUR)  
W/O-TRIPURESWAR THAKUR

R/O-VILL. AND P.O-PANBARI

DISTRICT- LAKHIMPUR  
ASSAM.

5: ATUL CHANDRA SARMAH  
(RTD. ASSTT. TEACHER OF RAJIB GANDHI HIGH SCHOOL  
LAKHIMPUR)  
S/O-LATE SIVA NATH SARMA

R/O-VILL. AND P.O-PANBARI

DISTRICT- LAKHIMPUR  
ASSAM.

6: ARUNA SAIKIA  
(RTD. ASSTT. TEACHER OF BORELENGERI SANKARDEV H.S SCHOOL  
LAKHIMPUR)  
D/O-LAKHMAN SAIKIA

R/O-VILL. AND P.O-LAHOTIAL

DISTRICT-LAKHIMPUR  
ASSAM.

7: RINKU MONI SAIKIA  
(RTD. ASSTT. TEACHER OF JANAKALYAN MITHARAM ADARSHA HIGH  
SCHOOL  
LAKHIMPUR)  
W/O-DURGESWAR BORAH

R/O-VILL.-GHURIA GAON

P.O-HOWAJAN

DISTRICT-SONITPUR  
ASSAM.

8: GOPAL CH. BORAH  
(RTD. ASSTT. TEACHER OF BANDERDEWA HIGH SCHOOL  
LAKHIMPUR)  
S/O-LATE GUNARAM BORAH

R/O-VILL. AND P.O-KAMALPUR

DISTRICT- LAKHIMPUR  
ASSAM.

9: JOGA MAYA BORAH  
(RTD. ASSTT. TEACHER OF BANDERDEWA HIGH SCHOOL  
LAKHIMPUR)  
W/O-DIBYADHAR BORAH

R/O-VILL.-DEOTOLA

P.O-BHOGPUR

DISTRICT- LAKHIMPUR  
ASSAM.

10: SARADI PHUKAN BORAH  
(RTD. ASSTT. TEACHER OF NAMONI DIKRONG HIGH SCHOOL  
LAKHIMPUR)  
W/O-BHEBASH BORA

R/O-WARD NO.2  
BISWANATH  
P.O-DRIKONG

DISTRICT-BISWANATH  
ASSAM.

11: MOHENDRA BORAH  
(RTD. JUNIOR ASSTT. OF BORKHET MOTIA HIGH SCHOOL  
LAKHIMPUR)  
S/O-LATE BAPURAM BORAH

R/O-VILL.-NO.2 MOTIA

P.O-BORBALI

DISTRICT-LAKHIMPUR  
ASSAM.

12: LOKESWAR BORAH  
(RTD. ASSTT. TEACHER OF SANKARDEV HIGH SCHOOL  
LAKHIMPUR)  
S/O-LATE BHUSAN BORAH

R/O-WARD NO.1  
BIHPURIA TOWN

DISTRICT-LAKHIMPUR  
ASSAM.

13: BHABEN HAZARIKA  
(RTD. ASSTT. HEAD MASTER OF BHIMBOR DEURI HIGH SCHOOL  
LAKHIMPUR)  
S/O-LATE HARIPAD HAZARIKA

R/O-VILL.-BADATI  
JAMUGURI  
P.O-JAPJUP

DISTRICT- LAKHIMPUR  
ASSAM.

14: GIRIDHAR HAZARIKA

(RTD. ASSTT. TEACHER OF BALIJAN GIRLS HIGH SCHOOL  
BISWANATH)  
S/O-KHAGESWAR HAZARIKA

R/O-VILL.-KOTAICHUK

P.O-BRAHMAJAN

DISTRICT-BISWANATH  
ASSAM.

15: DEBA MAHANTA  
(RTD. ASSTT. TEACHER OF GAMIRIGHAT HIGH SCHOOL  
LAKHIMPUR)  
S/O-RUDRA MAHANTA

R/O-VILL.-APHARAKHAT

P.O-GHAHIGAON

DISTRICT- LAKHIMPUR  
ASSAM.

16: SOBHAN SARMAH  
(RTD. ASSTT. TEACHER OF GAMIRIGHAT HIGH SCHOOL  
LAKHIMPUR)  
S/O-LATE BENUKANTA SARMAH

R/O-VILL.-MIRIPATHAR

P.O-GAMIRI

DISTRICT- LAKHIMPUR  
ASSAM.

17: BHIM LAL SAPKOTA  
(RTD. ASSTT. TEACHER OF DIPORA HIGH SCHOOL  
BISWANATH)  
S/O-LATE NARAYAN SAPKOTA

R/O-VILL.-DIPORA

P.O-DIPORA

DISTRICT-BISWANATH  
ASSAM.

18: NANDI SAIKIA

(RTD. ASSTT. TEACHER OF GAMIRIGHAT HIGH SCHOOL  
LAKHIMPUR)  
S/O-LATE KHAGESWAR SAIKIA

R/O-VILL.-MORANBARI

P.O-DIPARA PUKHURI

DISTRICT- LAKHIMPUR  
ASSAM.

19: MADRIKA SARMAH  
(RTD. ASSTT. TEACHER OF PUB BUROI HIGH SCHOOL  
SONITPUR)  
S/O-LAKSMIDAS BAJGAIN

R/O-VILL.-RANGCHALI  
SONARI

P.O-JANATA

DISTRICT-SONITPUR  
ASSAM.

20: RINA BORAH

(RTD. ASSTT. TEACHER OF BANDERDEWA HIGH SCHOOL  
LAKHIMPUR)  
W/O-GOLAP HAZARIKA

R/O-VILL.-PATHALIPATHER

P.O-PATHALIPA HAR

DISTRICT-LAKHIMPUR  
ASSAM.

21: DALIMI BORUAH  
(RTD. ASSTT. TEACHER OF THAKURDOLONI KAMALPUR HIGH SCHOOL  
LAKHIMPUR)  
W/O-PADMESWAR SAIKIA

R/O-VILL.-BORPATHAR NO.2

P.O-KAMALPUR

DISTRICT-LAKHIMPUR  
ASSAM.

22: BULUMONI SAIKIA

(RTD. ASSTT. TEACHER OF SANTI JYOTI HIGH SCHOOL  
LAKHIMPUR)  
W/O-JATINDRA NATH BHUYAN

R/O-VILL.-JOYPUR

P.O-BHOGPURPUR

DISTRICT-LAKHIMPUR  
ASSAM.

23: HARIPRASAD HAZARIKA

(RTD. ASSTT. TEACHER OF SANTI JYOTI HIGH SCHOOL  
LAKHIMPUR)  
S/O-LATE BOPARAM HAZARIKA

R/O-VILL.-BHAKATGAON

P.O-BORBALI

DISTRICT-LAKHIMPUR  
ASSAM.

24: DEBA KR. DEURI

(RTD. JR. ASSTT. OF SANTI JYOTI HIGH SCHOOL  
LAKHIMPUR)  
S/O-LATE BALAM CH. DEURI

R/O-VILL.-JOIPUR PICALA

P.O-BHOGPUR

DISTRICT-LAKHIMPUR  
ASSAM.

25: BHABEN CH. SAIKIA

(RTD. ASSTT. TEACHER OF SANTI JYOTI HIGH SCHOOL  
LAKHIMPUR)  
S/O-LATE HITESWAR SAIKIA

R/O-VILL.-JOIPUR PICALA

P.O-BHOGPUR

DISTRICT-LAKHIMPUR  
ASSAM.

26: UPEN CHANDRA SAIKIA

(RTD. ASSTT. TEACHER OF PUB- DIKONG HIGH SCHOOL  
LAKHIMPUR)

S/O-LATE SOMESWAR SAIKIA

R/O-VILL.-MORNOI THANGAL

P.O-MORNOI KHARA

DISTRICT-LAKHIMPUR  
ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,  
EDUCATION DEPARTMENT (SECONDARY) SACHIVALAYA,  
DISPUR, GUWAHATI-781006, ASSAM

2:THE DIRECTOR OF SECONDARY EDUCATION

ASSAM  
KAHILIPARA  
GUWAHATI-781019.

3:THE DIRECTOR OF PENSION

ASSAM  
HOUSEFED COMPLEX  
GUWAHATI-781006.

4:THE DEPUTY SECRETARY TO THE GOVT. OF ASSAM  
FINANCE DEPARTMENT  
DISPUR  
GUWAHATI-781006

**Advocate for the Petitioner** : MR S BORTHAKUR

**Advocate for the Respondent** : GA, ASSAM

**BEFORE**  
**HONOURABLE MR. JUSTICE SUMAN SHYAM**  
**HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY**

**ORDER**

**21.05.2024**

***(Suman Shyam, J)***

Learned senior counsel Mr. B. C. Das, Mr. A. C. Borbora, Mr. D. Das, Mr. K. N.

Choudhury along with Mr. M. Goswami and Mr. A. R. Bhuyan, Mr. G. Uddin, Mr.

M. P. Sharma, learned counsel appearing for the respective petitioners

addressed arguments today but the hearing remains inconclusive.

In view of the above, let these matters be listed again on 18.06.2024 as fixed items.

Considering the nature of issues involved in these writ petitions and the large number of counsel connected with these matters, Registry may take step to list these matters in a manner so as to facilitate day to day hearing of these Writ Petitions.

In the meantime, the learned counsel for the writ petitioners in WP(C)

No.8148/2018 is granted liberty to file an additional affidavit on the point urged

by Mr. Goswami.

Mr. R. Mazumdar, Mr. N. J. Khataniar, learned Standing Counsel, Education Department and Mr. D. Nath, learned Senior Government Advocate, Assam are present on behalf of the respondents.

**JUDGE**

**JUDGE**

**Comparing Assistant**