

GAHC010120492025



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

Case No. : WP(C)/3155/2025

NAYANMONI SAIKIA @ NAYAN MONI SAIKIA
S/O DIBAKAR SAIKIA, M.A., B.ED, GRADUATE TEACHER, NAGSANKAR
HIGH SCHOOL, SONITPUR, R/O VILL- BORIGAON, P.O.- KARCHAN TOLA,
DIST- SONITPUR, ASSAM, PIN-784189

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM,
DEPARTMENT OF SCHOOL EDUCATION (SECONDARY EDUCATION
DEPARTMENT), ASSAM (CIVIL) SECRETARIAT, BLOCK-C, DISPUR,
GUWAHATI, ASSAM, PIN-781006

2:THE DIRECTOR OF SECONDARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI
ASSAM
PIN-781019

3:THE INSPECTOR OF SCHOOLS
SONITPUR DISTRICT CIRCLE
DIST- SONITPUR
ASSAM
PIN-78330

Advocate for the Petitioner : MR. B PURKAYASTHA, MR. S SUTRADHAR

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

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

09.06.2025

Heard Shri B. Purkayastha, learned counsel for the petitioner, whose grievance relates to his disqualification from the consideration for promotion to the post of Head Master.

He has submitted that the grounds assigned namely, non-obtaining of NOC for obtaining the B. Ed Degree has already been the subject matter of litigation earlier which has been set aside by this Court.

Be that as it may, let notice be issued, returnable by 4 (four) weeks.

Shri B. Kaushik, learned Standing Counsel accepts notice on behalf of all the respondents.

Extra copies of the writ petition be served upon Shri Kaushik, learned counsel for the respondents within 2 (two) working days from today.

Shri Purkayastha, learned counsel for the petitioner prays for an interim order and has submitted that in similar matters, interim order has been passed.

On the other hand, Shri Kaushik, the learned Standing Counsel has submitted that apart from the issue which has been raised now, there are other criteria also on which there is no averment in the writ petition. He therefore submits that interim order is not called for.

After hearing the parties and by balancing the equities, it is provided that one post of Head Master be kept vacant till the returnable date.

However, if it is found that there are other criteria which the petitioner has

not qualified other than the NOC for B. Ed, the interim order shall not be operative.

JUDGE

Comparing Assistant