

GAHC010121202026



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

**Case No. : WA/191/2026**

TAPESWARI BARO  
D/O PADMA BARO, ASSISTANT TEACHER (PROMOTED AS  
HEADMISTRESS), BARKOLA HIGH SCHOOL,  
VILL- MANGALDAI KARIM CHOWK, WARD NO-6, P.O.- MANGALDAI,  
DIST.- UDALGURI, PIN- 784125, ASSAM

VERSUS

1.THE STATE OF ASSAM AND 7 ORS.  
REPRESENTED BY THE SECRETARY, DEPARTMENT OF SCHOOL  
EDUCATION, DISPUR, GUWAHATI-6.

2:THE SECRETARY  
BODOLAND TERRITORIAL COUNCIL KOKRAJHAR.

3:THE SECRETARY  
EDUCATION DEPARTMENT BODOLAND TERRITORIAL COUNCIL  
KOKRAJHAR

4:THE DIRECTOR OF EDUCATION  
BODOLAND TERRITORIAL COUNCIL KOKRAJHAR ASSAM.

5:THE FINANCE DEPARTMENT  
REPRESENTED BY THE SECRETARY BODOLAND TERRITORIAL COUNCIL  
KOKRAJHAR ASSAM.

6:THE INSPECTOR OF SCHOOLS  
UDALGURI DISTRICT CIRCLE UDALGURI.

7:THE SECRETARY  
EDUCATION DEPARTMENT CUM CHAIRMAN  
DEPARTMENTAL PROMOTION COMMITTEE  
BTC KOKRAJHAR.

8:RUNUMI PRIYA DEVI  
D/O MAHENDRA CH. NATH  
IN-CHARGE HEADMISTRESS BARKOLA HIGH SCHOOL  
RESIDENT OF VILL- MANGALDI WARD NO- 5 DIST.- UDALGURI  
PIN- 784125 ASSAM

**For the Appellant(s)** : Mr. P. Mahanta, Advocate.

**For the Respondent(s)** : Dr. Ankit Todi, Advocate for respondent No.8.

**- B E F O R E -**

**HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR**

**HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY**

**17.06.2026**

*(Ashutosh Kumar, CJ)*

We have heard Mr. P. Mahanta, learned Advocate for the appellant and Dr. Ankit Todi, learned Advocate for respondent No.8.

In this appeal, the appellant has challenged the judgment and order dated 20.05.2026 passed by a learned Single Judge of this Court in WP(C) No.1623/2024.

By the afore-noted judgment, the entire select list of 35 promoted teachers has been set aside and a direction has been issued for initiating a fresh selection process and to conclude the same within a period of 4(four) months.

The afore-noted judgment was passed in the absence of other 34 promoted teachers, who were neither a party in the proceedings nor were ever heard.

The appellant was selected through a Departmental Promotion

Committee for the post of Headmaster/Headmistress of a provincialized high school in Udalguri district, falling under the Bodoland Territorial Council. She was at Serial No.51 in the Final Gradation List of Assistant Teachers. Her selection was challenged by respondent No.8, who was placed at Serial No.50, i.e. above the appellant.

The challenge was made on the ground that the seniority rules have been violated and the Selection Committee has improperly been constituted.

Mr. P. Mahanta, learned Advocate for the appellant has argued that the judgment under appeal suffers from multiple errors. Unpleaded issues were taken into consideration and were adjudicated upon, totally ignoring the constitutional status and the powers of Bodoland Territorial Council (BTC) under the Sixth Schedule. That apart, without hearing the other parties who have been adversely affected, such a judgment was passed.

In the regular selection process, the appellant was recommended, which recommendation involved consideration of seniority, ACRs and interview performance.

The appellant had also joined as Headmistress of Barkola High School, Udalguri on 15.03.2024.

Since respondent No.8 has already been represented, there would be no necessity of issuing any further notice.

Ms. B. Bhuyan, learned Senior Advocate, who represents respondent/BTC, is not present today.

A prayer for adjournment has been made on behalf of the BTC for filing response to this memo of appeal.

Let this case come up for further consideration on 03.09.2026.

The response affidavit must be filed on or before the aforementioned date.

In the meantime, the effect and operation of the impugned judgment dated 20.05.2026 passed by the learned Single Judge in WP(C) No.1623/2024 shall remain in abeyance.

*Status quo* as on date shall be maintained.

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**