

GAHC010123682023



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

Case No. : WP(C)/3316/2023

PH MANIDHON SINGHA , MAJOR (RETD)
SON OF LATE PH. BALADEB SINGHA,
RESIDENT OF VILL- LALANG PT-I,
P.O.- PAILAPOOL, P.S.- LAKHIPUR,
DISTRICT- CACHAR, ASSAM,
PIN- 788098. HEAD MASTER OF MOIRANGTHEM DEB SINGH MEMORIAL
ACADEMY,
BINNAKANDI PART-II, P.O.- BINNAKANDI GHAT,
P.S.- LAKHIPUR, DISTRICT- CACHAR,
ASSAM, PIN- 788126.

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM,
DEPARTMENT OF EDUCATION (SECONDARY),
DISPUR, GUWAHATI-6.

2:THE DIRECTOR OF SECONDARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19.

3:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19.

4:THE ADMINISTRATIVE OFFICER
FEE REGULATORY COMMITTEE
ASSAM

BAMUNIMAIDAM
GUWAHATI-21.

5:THE DEPUTY COMMISSIONER
CACHAR
SILCHAR.

6:THE INSPECTOR OF SCHOOL
SILCHAR.

7:RATAN SINGH
SON OF LATE M. BABU SINGH

RESIDENT OF VILL- BINNAKANDI PART-II

P.O. BINNAKANDI GHAT

P.S.- LAKHIPUR

DISTRICT- CACHAR
ASSAM.
PIN- 788126

Advocate for the Petitioner : MR. D CHAKRABARTY, MS D.CHAKRABARTY

Advocate for the Respondent : SC, SEC. EDU., MR. B SHARMA (R-4),P BHAGAT(R-4),MR. H DAS(R-4),MR. M P SARMA (r-7),MR A CHETIA (r-7),MR A CHAKRABORTY (r-7),SC, ELEM. EDU,GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

10.09.2026

Heard Mr. D. Chakrabarty, learned counsel for the petitioner. Also heard Mr. B. Sharma, learned counsel for the respondent No.4; Mr. U. Sarma, learned Standing Counsel, Secondary Education Department for the respondent No. 1, 2 and 6; Mr. P.P. Dutta, learned counsel for the respondent No.3; Ms. S. Konwar, learned counsel for the respondent No.5; Mr. A. Chakrabarty, learned counsel for

the respondent No.7.

2] The challenge made in the writ petition is to the enquiry report dated 15.06.2022 submitted by the Inspector of Schools, Silchar before the Fee Regulatory Committee making certain allegations in respect of the petitioner and the school. This enquiry was made pursuant to an application filed by the petitioner seeking exemption before the Fee Regulatory Committee. The Fee Regulatory Committee has not yet passed any order on the said application in the face of the enquiry made.

3] Mr. A. Chakrabarty, learned counsel appearing for the private respondent submits that he is the complainant who has raised complaint against the writ petitioner and the school run by the writ petitioner and on the basis of which certain orders were passed by the Commissioner and Secretary against the school.

4] The Education Department has not yet filed their affidavit whereas the Fee Regulatory Committee has filed their affidavit.

5] Mr. U. Sarma, learned Standing Counsel, Secondary Education and Mr. P.P. Dutta, learned counsel for the respondent No.3 submits that the complete instructions are awaited therefore, they pray for further two weeks time to file their affidavit.

6] Considering the issues involved and the prayer made, let this matter be relisted again after two weeks on the date to be fixed by the Registry, on which

date the affidavits which are required to be filed by the Education Department may be filed.

7] List accordingly.

JUDGE

Comparing Assistant