

GAHC010003692023



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

Case No. : I.A.(Civil)/52/2023

SMT. KUNJAMAI BORDOLOI
W/O LATE GAHIN CHANDRA BORDOLOI, R/O VILL-KUMARBORI, P.O.-
KILLING VALLEY, P.S.-JAGIROAD, DIST-MORIGAON, ASSAM, PIN-782410

VERSUS

PREETOM SAIKIA AND 12 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, EDUCATION (ELEMENTARY) DEPARTMENT,
DISPUR, GUWAHATI-06, DIST- KAMRUP(M), ASSAM

2:SMTI. BONDONA DUTTA TAMULY
COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM
PENSION AND PUBLIC GRIEVANCES DEPARTMENT
DISPUR
GUWAHATI-06
DIST- KAMRUP(M)
ASSAM

3:MANISH THAKUR
COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-06
DIST-KAMRUP (M)
ASSAM

4:SUBHAS DAS
DIRECTOR OF PENSION
HOUSEFED COMPLEX
DISPUR
GUWAHATI-06

DIST-KAMRUP(M)
ASSAM

5:DR. (MRS.) BIJOYA ENGTI
DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19
DIST-KAMRUP(M)
ASSAM

6:AFONG ENGTI
DISTRICT PRIMARY EDUCATION OFFICER
PRIMARY EDUCATION DEPARTMENT
KARBI ANGLONG AUTONOMOUS COUNCIL
DIPHU
P.O.-DIPHU
PIN-782460
DIST- KARBI ANGLONG
ASSAM

7:ABDUL ROUF
PRINCIPAL ACCOUNTANT GENERAL (A ND E)
MAIDAMGAON
BELTOLA
P.O.-BELTOLA
GUWAHATI-29
DIST-KAMRUP(M)
ASSAM

8:KATHARSON ENGTI
SUB INSPECTOR OF SCHOOLS
AUGURI CIRCLE
P.O.-AUGURI
DIST-KARBI ANGLONG
ASSAM
PIN-782413

9:MUKUL GOGOI
PRINCIPAL SECRETARY
KARBI ANGLONG AUTONOMOUS COUNCIL
P.O.-DIPHU
DIST-KARBI ANGLONG
ASSAM
PIN-782460

10:MRS. BIJAYA CHOUDHURY

SECRETARY TO THE GOVERNMENT OF ASSAM
EDUCATION (ELEMENTARY) DEPARTMENT
DISPUR
GUWAHATI-06
DISTRICT KAMRUP(M)
ASSAM

11:SRI SANTANU P. GOTMARE
COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM
PENSION AND PUBLIC GRIEVANCES DEPARTMENT
DISPUR
GUWAHATI-06
DIST- KAMRUP(M)
ASSAM.

12:SMTI SURANJANA SENAPATI

DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19
DIST-KAMRUP(M)
ASSAM

13:SRI K.S. GOPINATH NARAYAN

PRINCIPAL ACCOUNTANT GENERAL (A AND E)
MAIDAMGAON
BELTOLA
P.O.-BELTOLA
GUWAHATI-29
DIST-KAMRUP(M)
ASSAM

Advocate for the Petitioner : MR. D BORAH

Advocate for the Respondent :

Linked Case : Cont.Cas(C)/293/2021

SMT. KUNJAMAI BORDOLOI
W/O LATE GAHIN CHANDRA BORDOLOI
R/O VILL-KUMARBORI
P.O.-KILLING VALLEY
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DIST-KARBI ANGLONG
ASSAM
PIN-782460

Advocate for : MR. D BORAH
Advocate for : MR. B DEORI (R-4) appearing for PREETOM SAIKIA AND 8 ORS

BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

25.01.2023

Heard Mr. D Borah, learned counsel for the applicant and Ms. V Shohe, learned counsel for the opposite party Nos. 6 & 9.

The applicant as petitioner preferred the connected Contempt Case (Civil) No. 293/2021 for non-compliance of the order dated 29.11.2019 passed by this Court in WP(C) No. 8754/2019.

During pendency of the said contempt case, the opposite party Nos. 10, 11, 12 & 13 have joined as Secretary to the Government of Assam, Education (Elementary)

Department; Commissioner & Secretary to the Government of Assam, Pension and Public Grievances Department; Director of Elementary Education, Assam and the Principal Accountant General (A & E) relieving the earlier officers.

The applicant as petitioner on 22.12.2022 informed those opposite party Nos. 10 to 13 regarding the order dated 29.11.2019 passed by this Court in WP(C) No. 8754/2019 and also about the connected Contempt Case (Civil) No. 293/2021, which is presently pending for adjudication.

The applicant have annexed the relevant documents of the postal department to show that the notice dated 22.12.2022 issued by the lawyer of the applicant has been served upon them, making them aware regarding compliance of the said order dated 29.11.2019 passed in WP(C) No. 8754/2019.

By this application, the applicant/petitioner has prayed for impleadment of the present opposite party Nos. 10, 11, 12 & 13 as party respondent Nos. 1, 2, 5 & 7 in the connected Contempt Case (Civil) No. 293/2021.

After considering the prayer of the applicant and the relevant documents annexed by the applicant regarding service of notice on the opposite parties, the applicant is allowed to implead the present opposite party Nos. 10, 11, 12 & 13 as party respondent Nos. 1, 2, 5 & 7 in the connected Contempt Case (Civil) No. 293/2021.

Accordingly, this Interlocutory Application stands allowed.

JUDGE

Comparing Assistant