

GAHC010131542025



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

Case No. : WP(C)/3554/2025

BIKASH BORAH
S/O DOLAN BORAH, M.A., B.ED., SENIOR MOST ASSISTANT TEACHER,
JAMUGURI HIGHER SECONDARY SCHOOL, SONITPUR, R/O VILL-
PATOLARCHOOK, P.O.- JAMUGURI HAT, DIST- SONITPUR, ASSAM, PIN-
784180

VERSUS

1: THE STATE OF ASSAM AND 3 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
TEZPUR DIST- SONITPUR ASSAM PIN-784001.

4:MD. FIROZ ANSARI,
PRINCIPAL I/C JAMUGURI HIGHER SECONDARY SCHOOL
JAMUGURIHAT P.O.- JAMUGURI HATDIST- SONITPUR ASSAM PIN-78418

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

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

- BEFORE -
HON'BLE MR. JUSTICE NELSON SAILO

Date : 27-06-2025

Heard Mr. B. Purkayastha, learned counsel for the petitioner, who submits

that by filing this writ petition, the petitioner has challenged the communication dated 19.12.2023 issued by the Director of Secondary Education, Assam (*Annexure-15 to the writ petition*), by which the petitioner has been said to have violated Rule 13 of the Assam Civil Services (Conduct) Rules, 1965 for not having taken prior permission before pursuing B.Ed. Course. The learned counsel for the petitioner submits that because of the said communication, the petitioner is likely to be not considered for the post of Headmaster of Secondary School, despite the fact that he is one of the senior most teachers.

In view of the above, issue notice of motion, returnable by 3(three) weeks.

Ms. S.M.T. Chistie, learned Standing Counsel, Education (Secondary) Department, accepts notice on behalf of the respondent Nos.1 to 3.

As such, no formal steps are required to be taken in respect of the respondent Nos.1 to 3, as they are duly represented. However, the petitioner shall furnish requisite extra copies of the writ petition to the learned Standing Counsel, Education (Secondary) Department within 3(three) working days.

Since the respondent Nos.1 to 3 are duly represented, the petitioner shall take steps for service of notice upon the respondent No.4 only by registered post with A/D within 3(three) working days.

Issue notice on the *interim* prayer also, returnable by 3(three) weeks.

List the matter again on **01.08.2025**.

JUDGE