

GAHC010141692025



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

**Case No. : WP(C)/3658/2025**

TANKESWAR NATH  
SON OF LATE UMESH CHANDRA NATH,  
B.SC, B.ED., MA, SENIOR MOST ASSISTANT TEACHER, SARTHEBARI,  
HIGHER SECONDARY SCHOOL, SARTHEBARI, R/O VILL AND P.O. GAHIYA,  
DIST. BARPETA, ASSAM, PIN-781311.

VERSUS

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

BARPETA DISTRICT CIRCLE  
BARPETA  
ASSAM

4:RATUL DAS  
POST GRADUATE TEACHER  
SARTHEBARI H.S. SCHOOL  
VILL AN DP.O. SARTHEBARI

DIST. BARPETA  
ASSAM  
PIN-781307

**Advocate for the Petitioner** : MR. B PURKAYASTHA, MR. J P BARUAH

**Advocate for the Respondent** : SC, SEC. EDU., MR N SARMA (R-4)

**BEFORE**  
**HONOURABLE MR. JUSTICE NELSON SAILO**

**ORDER**

**Date : 19.01.2026**

Mr. U. Sarma, learned Standing Counsel, Secondary Education Department submits that he has not received any instructions with regard to the posting of One Md. Habibur Rahman Mazumder, Assistant Teacher of Public Higher Secondary School, Hailakandi as the In-Charge Principal with financial powers vide order dated 30.12.2022 although he was to retire on 31.12.2023. He however submits that as per the instructions received by him the petitioner was issued a Show Cause Notice dated 05.01.2026 by which certain act of misconduct has been alleged against him and he is required to submit written statement of defense within ten days from date of receipt of the communication.

Mr. B. Purkayastha, learned counsel for the petitioner on the other hand submits that the Show Cause Notice has not been served to the petitioner as on date.

Mr. U. Sarma, learned Standing Counsel, Secondary Education Department shall obtain instructions as to whether the Show Cause Notice has been served and duly acknowledged by the petitioner by the next date with supporting

documents. He shall also obtain instructions in terms of the order dated 30.10.2025 by the next date.

Besides such instructions, the respondents shall also file their counter affidavit on or before the next date.

List the matter on 10.02.2026.

Mr. N. Sarma, learned counsel appears for the respondent No.4.

**JUDGE**

**Comparing Assistant**