

GAHC010142642024



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

Case No. : WP(C)/3579/2024

RAMESH HARIJAN
S/O- SHIVCHAND HARIJAN, R/O- WATIJUR- 2, P.O. WATIJUR, DIST. KARBI
ANGLONG, PIN- 782446.

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, ELEMENTARY EDUCATION, DISPUR, ASSAM

2:THE DIRECTOR OF ELEMENTARY EDUCATION
KAHILIPARA
GUWAHATI
ASSAM
PIN- 781019.

3:THE MISSION DIRECTOR

SAMAGRA SHIKSHA ASSAM
KAHILIPARA
GUWAHATI
ASSAM
PIN- 781019.

4:THE EXECUTIVE DIRECTOR SAMAGRA SHIKSHA ASSAM
KAHILIPARA
GUWAHATI
ASSAM-781019.

5:THE DISTRICT ELEMENTARY EDUCATION OFFICER
HOJAI
ASSAM

6:THE DISTRICT LEVEL COMMITTEE
HOJAI
REPRESENTED BY THE ADDITIONAL DISTRICT COMMISSIONER
HOJAI
SHANKARDEV NAGAR
DIST. HOJAI
ASSAM
PIN- 782442

Advocate for the Petitioner : MR. I CHOWDHURY SR ADV

Advocate for the Respondent : SC, EDU

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 19.07.2024

Heard Mr. I Chowdhury, learned senior counsel assisted by Mr. T Das, learned counsel for the petitioner.

The present writ petition is filed assailing an order dated 22.06.2024 (Annexure – K to the writ petition), whereby the District Commissioner, Hojai transferred the petitioner from Marowari Hindi L.P. School, 541 No. Ashinagar Maqtab LP School.

It is the grievance of the petitioner that the petitioner is a teacher in Hindi Medium School and therefore, he was earlier transferred to Marowari Hindi LP School, however, ignoring such fact, the petitioner has been transferred to a School which is not a Hindi Medium School. It is the further grievance of the petitioner that the petitioner is the senior most teacher and in terms of the transfer and rationalization policy, a senior most teacher should not be transferred out from the school in question.

Issue notice returnable on 05.08.2024.

Mr. B Kaushik learned counsel, accepts notice on behalf of the respondent No.1, 2 & 5 and Mr. B Choudhury, learned standing counsel accepts notice on behalf of respondent No. 3 & 4.

Steps for service of notice upon the respondent Nos.6 & 7 be taken by way of Registered Post with A.D as well as through usual process within 5 (five) days.

As the respondent Nos.1 to 5 are duly represented, no formal notice is required to be issued upon them, however, extra copies of the writ petition, requisite in numbers be furnished to the learned counsel for the aforesaid respondents within three days.

List this matter along with WP(C) No.3297/2024.

JUDGE

Comparing Assistant