

GAHC010144972025



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

Case No. : WP(C)/3749/2025

NITU KALITA
S/O. KANAK KALITA, R/O VILLAGE KANIMARA, P/O. BHALUKI, P/S.
PATACHARKUCHI, DIST BAJALI, ASSAM-781371

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,
DEPARTMENT OF SCHOOL EDUCATION, DISPUR, GUWAHATI 6

2:THE DIRECTOR OF SECONDARY EDUCATION
KAHILIPARA
GUWAHATI 19.
TO BE REPRESENTED BY S C SECONDARY EDUCATIO

Advocate for the Petitioner : MR B ISLAM, MR. J C GOGOI

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

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO**

ORDER

27.06.2025

Heard Mr. J.C. Gogoi, learned counsel for the petitioner, who submits that by filing this writ petition, the petitioner has challenged the Addendum dated

16.10.2024 (Annexure - 2) and the Standard Operating Procedure (SOP) for screening candidates for the post of Graduate Teacher in different Government or provincialized Secondary Schools of the State issued on 27.05.2025 on the ground that the prescription made for the combination of the subjects for a Mathematics Teacher is beyond the prescription of the Advertisement as well as the Assam Secondary Education (Provincialized Schools) Rules, 2018. The learned counsel submits that the petitioner has secured his science graduation with Mathematics as his major subject while having Statistics and Computer Science as the minor subjects. The learned counsel submits that the petitioner is eligible to participate for the selection process that was advertised on 27.12.2023 for the post of Graduate Teacher in different Secondary Schools in the State of Assam. However, by way of the Addendum and the SOP, it appears that the candidature of the petitioner will be rejected at the threshold when he appears for the interview. The learned counsel further submits that the petitioner is clearly eligible to be considered for the said post in view of the Office Memorandum dated 07.05.2014 (Annexure - 5). The learned counsel also submits that since call letters have been issued to the candidates concerned for facing the interview starting from 1st July, 2025, if protection is not given to the petitioners, their candidature would be rejected.

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

N.J. Khataniar, learned Standing Counsel, Secondary Education Department accepts notice on behalf of all the respondents. As such, notice is complete. Petitioner to serve requisite extra copies of the writ petition to Mr. N.J. Khataniar, learned Standing Counsel within two (2) working days.

Having regard to the projection made, it is provided herein that the candidature of the petitioner shall not be rejected on the ground of not having the required combination of subjects in terms of the impugned Addendum as well as the SOP, which however shall be subject to the outcome of the instant writ petition.

List the matter again after three (3) weeks.

JUDGE

Comparing Assistant