

GAHC010145632020



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

Case No. : Cont.Cas(C)/492/2020

NIRMALI MEDHI
W/O- KRISHNA KANTA KALITA, R/O- VILL- MILANPUR, P.O. AND P.S.
MILANPUR, DIST.- NALBARI, ASSAM, PIN- 781337

VERSUS

PREETAM SAIKIA
IAS, COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM,
SECONDARY EDUCATION DEPTT., DISPUR, GHY-06

2:P. JIDUNG
DIRECTOR OF SECONDARY EDUCATION
KAHILIPARA
GHY-19
ASSAM

3:SRI NARAYAN KONWAR
SECRETARY TO THE GOVERNMENT OF ASSAM
DEPARTMENT OF SCHOOL EDUCATION
DISPUR
GUWAHATI-781006.

4:MS MAMATA HOJAI
DIRECTOR OF SECONDARY EDUCATION
KAHILIPARA
GUWAHATI-19
ASSAM

Advocate for the Petitioner : MR. R C SAIKIA

Advocate for the Respondent : MR. A PHUKAN

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

17-05-2024

Heard Shri R. C. Saikia, learned counsel for the petitioner.

This contempt petition has been filed in respect of an order dated 25.11.2019 passed by this Court in WP(C) No.6477/2016. This Court vide an elaborate order had directed undertaking of an exercise for regularizing the service of the petitioner within a period of 3 (three) months from the date of receipt of the certified copy. In paragraph 6 the point that the denial of regularization after serving continuously from 1988 on an issue of some impropriety in the appointment at the initial stage would be unfair was specifically dealt with.

Not to talk about 3 months, more than 4 years have passed and this contempt petition itself was instituted in the year 2020. On new incumbents having joined the concerned post, the petitioner had also impleaded the present incumbents by filing IA(C) No.2449/2023 in which order dated 28.08.2023 has been passed.

It is a matter of concern that the respondents have not even filed the affidavit-in-opposition in this case. There is nothing on record to indicate that the order in question was challenged before the Division Bench or any such steps taken to question the same. It clearly appears that the respondents are in willful and deliberate disobedience of the order in question.

Taking everything into consideration, this Court in the interest of justice, grants a further time of 3 (three) weeks to fully comply with the order fixing the date for filing of compliance report on 10.06.2024. In case there is no compliance

report, the respondent nos. 3 & 4 namely:-

Sri Narayan Konwar,
Secretary to the Government of Assam,
Department of School Education,
Dispur, Guwahati-781006.

- and -

Ms. Mamata Hojai,
Director of Secondary Education,
Kahilipara, Guwahati-19, Assam.

are to appear in person on the next date, i.e., **10.06.2024** at **10:30 a.m.**

JUDGE

Comparing Assistant