

GAHC010146912022



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

**Case No. : WP(C)/4854/2022**

NETTYANAND GOGAI AND 4 ORS.  
S/O- ROCHING KUMAR GOGAI, A RESIDENT OF VILL. JOYTINAGAR, P.O.-  
ARADHAI, P.S.- DHEMAJI, DIST.- DHEMAJI, ASSAM.

2: SURAJ CHUTIA  
S/O- LATE POWARAM CHUTIA  
A RESIDENT OF VILL.- GELUWA  
P.O.- KULAJAN  
P.S. SILAPATHAR  
DIST- DHEMAJI  
ASSAM.

3: MONUJ SONWAL  
S/O- PUNARAM SONWAL  
A RESIDENT OF VILL. NO. 2 SILAGAON  
P.O. SILBALI  
P.S. SILAPATHAR  
DIST- DHEMAJI  
ASSAM.

4: JYOTI PRASAD GOGOI  
S/O- BUDHERWAR GOGOI  
A RESIDENT OF VILL.- SILAPATHAR BAMUNGAON  
P.O. AND P.S. SILAPATHAR  
DIST- DHEMAJI  
ASSAM.

5: NIREN BORI  
S/O- LATE BRAHMANANDA BORI  
A RESIDENT OF VILL.- KANGKAN NAGAR  
P.O. AND P.S. SILAPATHAR  
DIST- DHEMAJI  
ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS.  
TO BE REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM, EDUCATION ELEMENTARY DEPARTMENT,  
DISPUR, GUWAHATI-6.

2:THE SARBA SIKSHA ABHIJAN  
ASSAM  
TO BE REPRESENTED BY THE MISSION DIRECTOR  
KAHILIPARA  
GUWAHATI-19.

3:THE DIRECTOR  
ELEMENTARY EDUCATION  
ASSAM  
KAHILIPARA  
GUWAHATI-19.

4:THE DISTRICT ELEMENTARY EDUCATION OFFICER  
DHEMAJI  
DIST.- DHEMAJI  
ASSAM.

5:THE DISTRICT LEVEL SCRUTINY COMMITTEE FOR ELEMENTARY  
EDUCATION  
DHEMAJI  
DIST.- DHEMAJI  
ASSAM. TO BE REPRESENTED BY ITS CHAIRMAN-CUM- DEPUTY  
COMMISSIONER  
DHEMAJI  
DIST.- DHEMAJI  
ASSAM.

6:THE STATE LEVEL SCRUTINY COMMITTEE  
ASSAM  
TO BE REPRESENTED BY ITS CHAIRMAN-CUM-THE DIRECTOR  
ELEMENTARY EDUCATION  
ASSAM  
KAHILIPARA-19

**Advocate for the Petitioner** : MR. A R BHUYAN

**Advocate for the Respondent** : SC, ELEM. EDU

Linked Case : WP(C)/6548/2019

NANDAGRAM PALOIPUNJI M.E. MADRASSA AND 8 ORS.  
REP. BY ITS HEAD MASTER-CUM-SECRETARY  
FAKRUL ISLAM LASKAR  
AGE 38 YEARS  
S/O- MOIN UDDIN LASKAR  
VILLAGE- RATANPUR PART-II  
P.O. RATANPUR  
PIN- 788155  
DIST. HAILAKANDI  
ASSAM.

2: HOLOCHANDRA MEMORIAL TRIBAL M.E. SCHOOL  
REP. BY ITS HEAD MASTER-CUM-SECRETARY  
AMINUL HAQUE BARBHUIYA  
AGE 37 YEARS  
S/O- HIBZUR RAHMAN  
VILLAGE- RONGPUR PART-IV  
P.O. SAHABAD  
PIN- 788163  
DIST.- HAILAKANDI  
ASSAM.

3: INIDRA GANDHI M.E. SCHOOL  
REP. BY ITS HEAD MASTER-CUM-SECRETARY KAMRUL ISLAM TAPADAR  
AGE ABOUT 42 YEARS  
S/O- LATE ABDUL ISLAM TAPADAR  
VILL. BHABANIPUR  
P.O. AMALA  
PIN- 788164  
DIST. HAILAKANDI  
ASSAM.

4: WAR ALI CHOUDHURY MEMORIAL M.E. INSTITUTE  
REP. BY ITS ASSISTANT TEACHER  
AFJOL HUSSAIN LASKAR  
AGED ABOUT 38 YEARS  
S/O- ATAUR RAHMAN LASKAR  
VILL. BROJAPUR PART-I  
P.O. BROJAPUR  
PIN- 788155  
DIST.- HAILAKANDI  
ASSAM.

5: MODERN M.E. MADRASSA

REP. BY ITS HEAD MISTRESS-CUM-SECRETARY  
NAZMIN AKTAR LASKAR  
AGE 35 YEARS  
W/O- KAZI MD. NURUL ALOM  
VILL- RONGPUR PART-VII  
P.O. SAHABAD  
PIN- 788163  
DIST.- HAILAKANDI  
ASSAM.

6: HAJI HARUN RASHID M.E. SCHOOL  
REP. BY ITS HEAD MASTER-CUM-SECRETARY  
HAYADAR HUSSAIN BARBHUIYA  
AGED ABOUT 45 YEARS  
S/O LATE MAFUR ALI BARBHUIYA  
VILLAGE- KATAKHAL  
P.O. KALINAGAR  
PIN- 788152  
DIST. HAILAKANDI  
ASSAM.

7: MORAGANGARPAR M.E. MADRASSA  
REP. BY ITS HEAD MASTER-CUM-SECRETARY  
MOSOROF ALI LASKAR  
AGE 55 YEARS  
S/O- ABDUL BARI LASKAR  
VILLAGE AND P.O.- NITAINAGAR PART-II  
PIN- 788155  
DIST.- HAILAKANDI  
ASSAM.

8: SHOKALAPAR M.E. MADRASSA  
REP. BY ITS HEAD MASTER-CUM-SECRETARY  
NURUL ISLAM LASKAR  
AGED ABOUT 48 YEARS  
S/O- RAFIQUE AHMED LASKAR  
VILLAGE- MOHAMMADPUR PART-I  
P.O. RONGPUR SOUTH  
PIN- 788163  
DIST. HAILAKANDI  
ASSAM.

9: M.S.U. M.E. MADRASSA  
REP. BY ITS HEAD MISTRESS-CUM-SECRETARY  
MOMOTA BEGUM LASKAR  
AGED ABOUT 30 YEARS  
W/O- SOIDUR RAHMAN LASKAR  
VILLAGE- RAJYESWARPUR PART-VII

P.O. KATAGAON  
PIN- 788168  
DIST. HAILAKANDI  
ASSAM.  
VERSUS

THE STATE OF ASSAM AND 4 ORS.  
TO BE REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF  
ASSAM  
EDUCATION (ELE.) DEPTT.  
DISPUR  
GUWAHATI-6.

2:THE MISSION DIRECTOR  
AXOM SARBA SIKSHA ABHIJAN MISSION  
KAHILIPARA  
GUWAHATI-19.

3:THE DIRECTOR OF ELEMENTARY EDUCATION  
ASSAM  
KAHILIPARA  
GUWAHATI-19.

4:THE DISTRICT ELEMENTARY EDUCATION OFFICER  
HAILAKANDI  
P.O. AND DIST- HAILAKANDI  
ASSAM  
PIN- 788151.

5:THE SECRETARY  
LEGISLATIVE ASSEMBLY DEPTT.  
DISPUR  
GUWAHATI-6.

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Advocate for : G UDDIN  
Advocate for : SC  
ELEM. EDU appearing for THE STATE OF ASSAM AND 4 ORS.

**BEFORE**  
**HONOURABLE MR. JUSTICE SUMAN SHYAM**  
**HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY**

**ORDER**

**Date : Date : 01/02/2024**  
***Suman Shyam, J***

Lead by Mr. B.C. Das, learned senior counsel , we have heard the preliminary arguments advanced by some of the learned counsel representing the writ petitioners in this batch of writ

petitions. However, requests for adjournment has been made on behalf of some other writ petitioners primarily on the ground that the engaged senior counsel is unavailable.

Mr. R. Mazumdar and Mr. N.J. Khataniar, learned Standing Counsel, Department of School Education, Assam and Ms. P. Das, learned Standing Counsel, SSA, Assam, are present on behalf of the official respondents.

Taking note of the request made at the Bar, further hearing of these matters stand deferred till 19/03/2024.

Registry to list these cases category-wise, again on 19/03/2024, as fixed items.

**JUDGE**

**JUDGE**

*Sukhamay*

**Comparing Assistant**