

GAHC010149792024



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

Case No. : WP(C)/3783/2024

ANUP PAUL CHOUDHURY AND 14 ORS
S/O- SHYAMAPADA PAUL CHOUDHURY, R/O- BAMAMALI ROAD
KARIMGANJ, DISTRICT- KARIMGANJ, ASSAM- 788710

2: ARPITA CHAKRABORTY
D/O- NRIPENDRA CHAKRABORTY
R/O- VILL- ANANDAPUR
P.O. BROJENDRAPUR
DISTRICT- KARIMGANJ
ASSAM
PIN- 788156

3: ENAM UDDIN
S/O- ABDUS SALAM
R/O- VILL- BAHUBAL
P.O. KURIKHALA
DISTRICT- KARIMGANJ
ASSAM
PIN- 788781

4: SHILPI MALAKAR
D/O- BINOY BHUSAN MALAKAR
R/O- ROY PATTY
P.O. KARIMGANJ
DISTRICT- KARIMGANJ
ASSAM
PIN- 788710

5: HUBAIR AHMED CHOUDHURY
S/O- LATE ABDUL QUADIR CHOUDHURY
R/O- VILL- JABDA
P.O. MANIKGANJ
DISTRICT- KARIMGANJ
ASSAM- 788712

6: PRADIP DEB
S/O- LATE NIRODE RN. DEB
R/O- SHYAMSUNDAR LANE
P.O. SETTLEMENT ROAD
DISTRICT- KARIMGANJ
ASSAM
PIN- 788712

7: SUSMITA DE
D/O- LATE SITESH CH. DEB ROY
R/O- LONGAI ROAD
KARIMGANJ
DISTRICT- KARIMGANJ
ASSAM- 788710

8: SUJIT DUTTA
S/O- SUDHIR RN. DUTTA
R/O- LONGAI ROAD
KARIMGANJ
DISTRICT- KARIMGANJ
ASSAM- 788710

9: ADITI ROY CHOUDHURY
D/O- ARUP ROY CHOUDHURY
R/O- MISSION ROAD
KARIMGANJ
DISTRICT- KARIMGANJ
ASSAM- 788710

10: ASHIS ROY
S/O- RAJENDRA ROY
R/O- VILL- SOULMARA
P.O. GIRISHGANJ BAZAR
DISTRICT- KAMRIMGANJ
ASSAM
PIN- 788711

11: RATAN PAUL
S/O- KALIPADA PAUL
R/O- BANAMALI ROAD
P.O. KARIMGANJ
DISTRICT- KARIMGANJ
ASSAM
PIN- 788710

12: MADHU SANDHYA SINHA
D/O- BASUDEB SINHA

R/O- MAIN ROAD
PATHAR KANDI
P.O. PATHAR KANDI
DISTRICT- KARIMGANJ
ASSAM
PIN- 788724

13: EMAD UDDIN
S/O- MUJAMMIL ALI
R/O- VILL- HADENGRAM
P.O. KARIMGANJ
DISTRICT- KARIMGANJ
ASSAM
PIN- 788710

14: MURAD AHMED KHAN
S/O- LATE ABDUS SUKUR KHAN
R/O- VILL AND P.O. SADARASHI
DISTRICT- KARIMGANJ
ASSAM

15: MORTAZA AHMED CHOWDHURY
S/O- LATE KASIM ALI CHOWDHURY
R/O- VILL- SARALKHA ROAD
P.O. SETTLEMENT ROAD
PIN- 788712
DISTRICT- KARIMGANJ
ASSA

VERSUS

THE STATE OF ASSAM AND 4 ORS
THROUGH THE SECRETARY TO THE GOVERNMENT OF ASSAM, SCHOOL
EDUCATION DEPARTMENT, ASSAM, DISPUR, GUWAHATI- 781006

2:THE COMMISSIONER
TO THE GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI- 781006

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

4:THE DEPUTY INSPECTOR OF SCHOOLS
KARIMGANJ

P.O. KARIMGANJ
DISTRICT- KARIMGANJ
ASSAM
PIN- 788710

5:THE TREASURY OFFICER
KARIMGANJ
BADARPUR
R.K. NAGAR
P.O. KARIMGANJ
DISTRICT- KARIMGANJ
ASSAM
PIN- 78871

Advocate for the Petitioner : MR. I H SAIKIA, MR K KASHYAB,MR. M R CHOUDHURY

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

Linked Case : WP(C)/3226/2024

NISHU RANJAN DAS AND 32 ORS.
S/O- NIRANJAN DAS

R/O- LONGAI ROAD
KARIMGANJ

P.O.- SETTLEMENT ROAD
PIN- 788710

DIST- KARIMGANJ
ASSAM.

2: PARAMITA DAS
D/O- SITANGSHU SEKHAR DAS

R/O- LAKSHMI CHARAN ROAD
KARIMGANJ

PIN- 788710
DIST- KARIMGANJ
ASSAM.

3: GEETA BHATTACHARJEE

D/O- LT. BIRESWAR BHATTACHARJEE

R/O- RED CROSS ROAD
KARIMGANJ

PIN- 788710
DIST- KARIMGANJ
ASSAM.

4: UTTAM KUMAR DAS
S/O- LT. ABANTI KUMAR DAS

R/O- VILL- NARIKHALI
P.O.- LAKSHMI BAZAR
PIN- 788712
DIST- KARIMGANJ
ASSAM.

5: SUMITA DAS DUTTA
D/O- LT. ROSOMOY DAS

R/O- SETTLEMENT ROAD
KARIMGANJ

P.O.- SETTLEMENT ROAD
PIN- 788710

DIST- KARIMGANJ
ASSAM.

6: CHITTA RANJAN DEY
S/O- DHIRENDRA CH. DEY

R/O- VILL- INATHPUR
P.O.- AMBARKHANA
PIN- 788712
DIST- KARIMGANJ
ASSAM.

7: JHUMA CHOUDHURY
D/O- BINOY CHAKRABORTY

R/O- MISSION ROAD
KARIMGANJ

P.O.- KARIMGANJ
PIN- 788710

DIST- KARIMGANJ
ASSAM.

8: KISHOLAY CHAKRABORTY
S/O- KRIPA SHINDU CHAKRABORTY

R/O- OLD MISSION ROAD
KARIMGANJ

P.O.- KARIMGANJ
PIN- 788710

DIST- KARIMGANJ
ASSAM.

9: RATISH SINHA
S/O- KRISHNA MOHAN SINHA

R/O- IDGA TOWN
KARIMGANJ

PIN- 788710
DIST- KARIMGANJ
ASSAM.

10: HARI PRASAD SINHA
S/O- KRISHNA DAS SINHA

R/O- VILL- TINOKHAL
KARIMGANJ

P.O.- PATHAR KANDI
PIN- 788724

DIST- KARIMGANJ
ASSAM.

11: CHAMPA CHAKRABORTY
S/O- LT SUDHANGSHU CHAKRABORTY

R/O- KALI MAHABIR BARI ROAD
KARIMGANJ

PIN- 788710
DIST- KARIMGANJ
ASSAM.

12: SUSANTA CHAKRABORTY

S/O- LT. RANADHIR CHAKRABORTY

R/O- KALI MAHABIR BARI ROAD
KARIMGANJ

PIN- 788710
DIST- KARIMGANJ
ASSAM.

13: RAMENDRA MALAKAR
S/O- LT. RAKESH RANJAN MALAKAR

R/O- PATHERKANDI TOWN
P.O.- PATHERKANDI
PIN- 788724
DIST- KARIMGANJ
ASSAM.

14: SUDIP DAS
S/O- NIRANJAN DAS

R/O- NILMONI ROAD
KARIMGANJ

P.O.- KARIMGANJ
PIN- 788710

DIST- KARIMGANJ
ASSAM.

15: SANTANU DEY
S/O- SWETAKI BH. DEY

R/O- SUBASH NAGAR
KARIMGANJ

P.O.- KARIMGANJ
PIN- 788710

DIST- KARIMGANJ
ASSAM.

16: SUCHARITA DHAR
S/O- LT. SITESH CH. DEB ROY

R/O- STATION ROAD
KARIMGANJ

P.O.- KARIMGANJ
PIN- 788710

DIST- KARIMGANJ
ASSAM.

17: SHILPI SARKAR
S/O- TARAMONI SARKAR

R/O- L C ROAD
KARIMGANJ

P.O.- KARIMGANJ
PIN- 788710

DIST- KARIMGANJ
ASSAM.

18: RAMA RANI PAUL
D/O- BHUBANESWAR PAUL

R/O- RAMONI ROAD
KARIMGANJ

P.O.- KARIMGANJ
PIN- 788710

DIST- KARIMGANJ
ASSAM.

19: AHMED HASSAN CHOUDHURY
S/O- LT. SAFIQR HAQUE CHOUDHURY

R/O- VILL- BATARASHI
P.O.- TILLABAZAR

PIN- 788709
DIST- KARIMGANJ
ASSAM.

20: BAHARUNNESSA KHANAM
D/O- MD. MOYEEN UDDIN AHMED

R/O- VILL- SOUTH LAFASAIL

P.O.- LAKSHMI BAZAR
PIN- 788709

DIST- KARIMGANJ
ASSAM.

21: NOOR AHMED CHOUDHURY
S/O- LUTFUR RAHAMAN CHOUDHURY

R/O- SETTLEMENT ROAD
KARIMGANJ

P.O.- SETTLEMENT ROAD
PIN- 788710

DIST- KARIMGANJ
ASSAM.

22: JOYNA BEGUM
D/O- ASADDAR ALI

R/O- VILL- SERULBAG

P.O.- LAKSHMI BAZAR
PIN- 788709

DIST- KARIMGANJ
ASSAM.

23: JOYDEEP DAS
S/O- JOGESH CH. DAS

R/O- LONGAI ROAD
KARIMGANJ

P.O.- SETTLEMENT ROAD
PIN- 788710

DIST- KARIMGANJ
ASSAM.

24: BASAK CHAKRABORTY
S/O- LT CHINMOY CHAKRABORTY

R/O- KALI MAHABIR BARI ROAD
KARIMGANJ

P.O.- KARIMGANJ
PIN- 788710

DIST- KARIMGANJ

ASSAM.

25: RAMANUJ CHAKRABORTY
S/O- ROMONI MOHAN CHAKRABORTY

R/O- L C ROAD
KARIMGANJ

P.O.- KARIMGANJ
PIN- 788710

DIST- KARIMGANJ
ASSAM.

26: BANSI GUPTA
S/O- MATILAL TELI

R/O- VILL- OLIVIACHERRA
KARIMGANJ

P.O.- OLIVIACHERRA
PIN- 788737

DIST- KARIMGANJ
ASSAM.

27: MONIMALA SHARMA
S/O- SUKHAMOY SHARMA

R/O- VILL- OLIVIACHERRA
KARIMGANJ

P.O.- OLIVIACHERRA
PIN- 788737

DIST- KARIMGANJ
ASSAM.

28: SURAJ DEO BANIA
S/O- BANSHIDHAR BANIA

R/O- VILL- GOMBHIRABASTI
KARIMGANJ

P.O.- GOMBHIRABASTI
PIN- 788737

DIST- KARIMGANJ

ASSAM.

29: ANWAR HUSSAIN
S/O- REJAN ALI

R/O- VILL- SAITRISH HAL
KARIMGANJ

P.O.- ANIPUR
PIN- 788734

DIST- KARIMGANJ
ASSAM.

30: SHYAM SEKHAR ROY
S/O- MOHENDRA CHANDRA ROY

R/O- VILL- WANGIRBOND
KARIMGANJ

P.O.- OLIVIACHERRA
PIN- 788737

DIST- KARIMGANJ
ASSAM.

31: CHAMPU DAS
D/O- ABANTI DAS

R/O- VILL- NARIKHOLI
KARIMGANJ

P.O.- LAKSHMIBAZAR
PIN- 788709

DIST- KARIMGANJ
ASSAM.

32: SAMPA ROY
S/O- BINOY BHUSAN ROY

R/O- LAXMI BAZAR ROAD
KARIMGANJ

P.O.- LAXMIBAZAR
PIN- 788709

DIST- KARIMGANJ

ASSAM.

33: ELIZA BEGUM
D/O- LT. ABDUL MATIN CHOUDHURY

R/O- VILL- SAHABAD
P.O.- LAKSHMI BAZAR
DIST- KARIMGANJ
PIN- 788709
VERSUS

THE STATE OF ASSAM AND 4 ORS
THROUGH - THE SECRETARY TO THE GOVERNMENT OF ASSAM
SCHOOL EDUCATION DEPARTMENT
ASSAM
DISPUR
GUWAHATI - 781006.

2:THE COMMISSIONER
TO THE GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
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GUWAHATI- 781006.

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

4:THE DEPUTY INSPECTOR OF SCHOOLS
KARIMGANJ
P.O. KARIMGANJ DISTRICT- KARIMGANJ
ASSAM
PIN- 788710.

5:THE TREASURY OFFICER
KARIMGANJ
BADARPUR
R.K. NAGAR
P.O. KARIMGANJ
DISTRICT- KARIMGANJ
ASSAM
PIN- 788710.

Advocate for : MR. I H SAIKIA
Advocate for : SC
ELEM. EDU appearing for THE STATE OF ASSAM AND 4 ORS

BEFORE
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK
O R D E R

30.09.2024

Heard Mr. I.H. Saikia, learned counsel for the petitioners and Mr. Ganesh Pegu, learned Standing Counsel, Department of School (Elementary) Education, Assam for the respondents in the (Elementary) Education Department.

2. Notice in WP(C) No.37832024 was issued on 31.07.2024 and in WP(C) No.3226/2024, it was issued on 25.06.2024 and the respondents are yet to file their affidavits.

3. List the matter after 08(eight) weeks' on a date to be fixed by the Registry.

4. In the meanwhile, the respondents in the Elementary Education Department shall file their respective affidavits in opposition, if any.

JUDGE

Comparing Assistant