

GAHC010151672022



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

Case No. : WP(C)/5032/2022

SMT. MANJU DEKA
WIFE OF SRI DEEPAK KUMAR NATH,
RESIDENT OF SRIMANTAPUR, BHANGAGARH, BYE LANE NO. 3, HOUSE
NO. 7, GUWAHATI-32, DISTRICT- KAMRUP(M), ASSAM.

VERSUS

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

2:THE DIRECTOR OF SECONDARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19
DISTRICT- KAMRUP(M)
ASSAM.

3:THE INSPECTOR OF SCHOOLS
KAMRUP METROPOLITAN DISTRICT CIRCLE
PANBAZAR
GUWAHATI-1.

4:THE HEADMASTER
RAJGARH GIRLS HIGH SCHOOL
BIHUTOLI
RAJGARH ROAD
GUWAHATI-7
DISTRICT- KAMRUP(M)
ASSAM.

5:SMTI KALYANI CHOUDHURY
ASSISTANT HEADMISTRESS
RAJGARH GIRLS HIGH SCHOOL
BIHUTOLI
RAJGARH ROAD
GUWAHATI-7
DISTRICT- KAMRUP(M)
ASSAM.

6:THE STATE LEVEL SELECTION BOARD
REPRESENTED BY ITS CHAIRMAN
STATE LEVEL SELECTION BOARD
ASSAM

Advocate for the Petitioner : MR. P P BARUAH, MR P DEKA,MR. R SARMA

Advocate for the Respondent : SC, SEC. EDU., MS N MAHANTA (r-5),MR. D J DAS (r-5),N
GAUTAM (r-5),MR. R M DEKA (r-5),MR. K N CHOUDHURY (r-5)

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 17.03.2026

Heard Mr. P.P. Baruah, learned counsel for the petitioner.

After hearing the learned counsel for the petitioner at some length, Mr. U. Sarma, learned Standing Counsel, Secondary Education Department submits that the instant case pertains to promotion to the post of Assistant Headmaster, whereas, the case of the petitioner is being considered for promotion to the post of Headmaster, which is higher in rank and as no prejudice would cause to the petitioner in adjournment of the matter. Therefore, prays for some time to obtain instructions.

On consideration of the issue as raised by the petitioner, it *prima facie* indicates that unless the impugned order is considered, the same would create unnecessary hindrance for the petitioner as by the impugned order, the authorities has clearly held that the grant of graduate scale of pay to the petitioner is not in accordance with the relevant Office Memorandum.

Considering the above, let this matter be listed after 2 (two) weeks.

On the next date, Mr. U. Sarma, learned Standing counsel, Secondary Education Department to

place the instruction as regards the stand of the respondent authorities as to whether any prejudice will cause to the petitioner, even if the impugned order is allowed to remain on record.

JUDGE

Comparing Assistant