

GAHC010153132020



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

Case No. : WP(C)/4775/2020

ARUP JYOTI KONWAR AND 56 ORS
S/O BIPUL KONWAR, R/O CHULADHARA DA GAON, P.O. GARMUR, P.S.
SIMALUGURI, DIST- SIVASAGAR, PIN-785687

2: MANAS JYOTI CHOUDHURY
S/O SARBESWAR CHOUDHURY
R/O RATANPUR
P.O. AND P.S. DHEMAJI
DIST- DHEMAJI
PIN-787057

3: BISWAJIT BORGHAIN
S/O BHADRESWAR BORGHAIN
R/O GOHAIN GAON
P.O. GOHAIN GAON
P.S. DHEMAJI
DIST- DHEMAJI
PIN-787057

4: ABINASH GOGOI
S/O KIRITI KAMAL GOGOI
R/O NALANIPAM
P.O. AND P.S. AND DIST- DHEMAJI
PIN-787057

5: NABAKANTA BORUAH
S/O SRI PUSPA BARUAH
R/O JOYPUR
P.O. BHOGPUR
P.S. NARAYANPUR
DIST- LAKHIMPUR
PIN-787033

6: BITUPAN DAS

S/O SRI HAHIRAM DAS
R/O MAJGAON
P.O. MACHKHOWA
P.S. AND DIST- DHEMAJI
PIN-787058

7: ASHOK DIHINGIA
S/O SRI NARESWAR DIHINGIA
R/O AMGURI AHOM
P.O. BATUAMUKH
P.S. SILAPATHAR
DIST- DHEMAJI
PIN-787110

8: NIPEN MODAK
S/O SRI NARAYAN MODAK
R/O KALITA GAON
P.O. BORDOLONI
P.S. GOGAMUKH
DIST- DHEMAJI
PIN-787026

9: RUPAM KR. DOWARAH
S/O SRI TANKESWAR DOWARAH
R/O SISSI TOKOWBARI GAON
P.O. SISSIBORGAON
P.S. SILAPATHAR
DIST- DHEMAJI
PIN-787110

10: DIBYAJYOTI NEOG
S/O SRI POMESWAR NEOG
R/O BORMACHAI
P.O. BORMACHAI
P.S. KAKAPATHAR
DIST- TINSUKIA
PIN-786152

11: NITUL SARMAH
S/O SRI INDRA SARMAH
R/O SAPATIA
P.O. MACHKHOWA
P.S. DHAKUAKHANA
DIST- LAKHIMPUR
PIN-787058

12: PRASANTA NARAYAN BORA
S/O SRI KHAGESWAR BORA

R/O BISHNUPUR KALITA GAON
P.O. JAMUGURI PANCALI
P.S. AND DIST- DHEMAJI
ASSAM
PIN-787057

13: RAJAT PHUKAN
S/O SRI DILIP PHUKAN
R/O KATHGAON
P.O. JORKATA
P.S. AND DIST- DHEMAJI
PIN-787058

14: SURLOV MEDHI
S/O SRI REKHI MEDHI
R/O KONCH GAON
P.O. BISHNUPUR
P.S. AND DIST- DHEMAJI
PIN-787057

15: NITEN GOGOI
S/O SRI NITYA GOGOI
R/O GOWALGAON
P.O. GOWAL CHAPORI
P.S. AND DIST- DHEMAJI
PIN-787057

16: APHURANTA ARANDHARA
S/O SRI DILIP ARANDHARA
R/O HUDUPARA ARANDHARA GAON
P.O. HUDUPARA
P.S. NAZIRA
DIST- SIVASAGAR
PIN-785685

17: LUHIT PHUKAN
S/O SRI PIYALI PHUKAN
R/O VILL. NO.3 MURKONG SELEK
P.O. JONAI
P.S. JONAI
DIST- DHEMAJI
PIN-787060

18: BHUPEN BARUAH
S/O SRI DHAJEN BARUAH
R/O VILL. NO.2 MURKONG SELEK
P.O. JONAI
P.S. JONAI

DIST- DHEMAJI
PIN-787060

19: MONESWAR TAID
S/O SRI MOINA TAID
R/O GORHPARA
P.O. NEMUTENGANI
P.S. DHAKUWAKHANA
DIST- LAKHIMPUR
PIN-787058

20: RANJIT CHETRY
S/O SRI JONGBAHADUR CHETRY
R/O NEPALI BASTI
P.O. AND P.S. JONAI
DIST- DHEMAJI
PIN-787060

21: ABHIJIT DEY
S/O SRI AJIT DEY
R/O LURAR MUKH
P.O. RAJGARH
P.S. TINGKHONG
DIST- DIBRUGARH
PIN-786611

22: BILJIN DOLEY
S/O SRI PRADIP DOLEY
R/O TIKIRAI
P.O. MERMUKH
P.S. NARAYANPUR
DIST- LAKHIMPUR
PIN-784164

23: BISWAJIT KONWAR
S/O SRI JATIN CHANDRA KONWAR
R/O NIZ LALUK
P.O. AND P.S. LALUK
DIST- LAKHIMPUR
PIN-784160

24: SUMON GOGOI
S/O SRI HARENDRA GOGOI
R/O MAJUMELIA GAON
P.O. SENCHOWA PUKHURI
P.S. MORAN
DIST- DIBRUGARH
PIN-785675

25: BITUPAN KHANIKAR
S/O SRI MUKHESWAR KHANIKAR
R/O BOCHA GAON
P.O. DILLIBARI
P.S. TINGKHONG
DIST- DIBRUGARH
PIN-786612

26: RITUPAN CHUTIA
S/O SRI NALIN CHUTIA
R/O VILL. NO.1 CAPATALI
P.O. BOGADAT
P.S. RAJGARH (TINGKHONG)
DIST- DIBRUGARH
PIN-786612

27: JUN JUN BORGOHAIN
S/O LT. NABA BORGOHAIN
R/O BATANI BAM GAON
P.O. PAROLIGURI
P.S. DEMOW
DIST- SIVASAGAR
PIN-785671

28: RAJIB KR. CHUTIA
S/O LT. PRASHAD CH. CHUTIA
R/O OLD AMULAPATTY
P.O. AND P.S. AND DIST- SIBASAGAR
PIN-785640

29: AMLAN DUTTA
S/O SRI KAMAL DUTTA
R/O NAPAM CHAKALIA GAON
P.O. BORHAT
DIST- CHARAIDEO
PIN-785693

30: SARBANANDA HANDIQUE
S/O SRI LALIT HANDIQUE
R/O RANGPURIA
P.O. AZAD
DIST- LAKHIMPUR
PIN-787031

31: RUBUL CHETRY
S/O SRI TEZ BAHADUR
R/O OUGURI NEPALI GAON

P.O. BONAI PATHAR
DIST- JORHAT
PIN-785683

32: BITUPAN BORA
S/O SRI JUGESWAR BORA
R/O NO.2 BHURBHURIA GAON
P.O. BHURBHURIA
DIST- DIBRUGARH
PIN-786003

33: UJJAL MILI
S/O LT. JUGO MILI
R/O LISANG DOLUNG
P.O. JONAI
P.S. JONAI
DIST- DHEMAJI
PIN-787060

34: KALYAN KONWAR
S/O SRI RAMESWAR KONWAR
R/O HALADHIBARI DAGAON
P.O. BORPATHAR
P.S. KHOWANG
DIST- DIBRUGARH
PIN-785676

35: PALLABI GAGOI BOKOLIAL
W/O SRI NAYAN JYOTI BOKOLIAL
R/O VILLAGE 1 NO. KECHERUGURI
P.O. BOGADAT
P.S. BORBAM (RAJGARH)
DIST- DIBRUGARH
PIN-786612

36: RASHMI GOHAIN BHUYAN
W/O SRI GHANAKANTA BHUYAN
R/O VILL. PUKLA
P.O. SISSIBORGAON
P.S. SILAPATHAR
DIST- DHEMAJI
PIN-787110

37: NIVARANI BURAGOHAIN
W/O SRI KINKSHUK CHUTIA
R/O JYOTINAGAR
W/NO.4
P.O.

P.S. AND DIST- DHEMAJI
PIN-787057

38: PALLABI GOHAIN
W/O SRI GUNABOR SAIKIA
R/O KEREKONI MAZGAON
P.S. SILAPATHAR
DIST- DHEMAJI
PIN-787110

39: LAKHIPROVA GOHAIN
W/O SRI MONTU HATIMURIA
R/O BANKAMCHI
P.O. J.K. CHARIALI
P.S. SILAPATHAR
DIST- DHEMAJI
PIN-787110

40: BIJOYLAKSHMI BORAH
W/O SRI JADUMANI BORAH
R/O W/NO.3
MAYANG NARAH PATH
P.O.
P.S. AND DIST- DHEMAJI
PIN-787057

41: SANGITA DOLEY
W/O SRI KABINDRA MEDOK
R/O W/NO. 3
NANDESWAR NARAH PATH
P.O.
P.S. AND DIST- DHEMAJI
PIN-787057

42: BANDANA GOGOI
W/O SRI GIRISH GOGOI
R/O W/NO.3
P.O.
P.S. AND DIST- DHEMAJI
PIN-787057

43: RAKHEE KONWAR
W/O SRI BANTI DAS
R/O SILAPATHAR
DIST- DHEMAJI
PIN-787059

44: SANGITA GOGOI

D/O SRI UDAYANANDA GOGOI
R/O DANGPARA
P.O. DANGPARA
P.S. TINGKHONG
DIST- DIBRUGARH
PIN-786611

45: REKHAMONI GOGOI
D/O SRI TIRTHESWAR GOGOI
R/O RONGPURIA
P.O. AND P.S. SIMEN CHAPORI
DIST- DHEMAJI
PIN-787061

46: PUSPA BORUAH
D/O SRI DEVEN BORUAH
R/O VILL. NO.3 MURKONGSELEK
P.O. AND P.S. JONAI
DIST- DHEMAJI
PIN-787060

47: BINITA GHIMIRE
D/O SRI NABIN GHIMIRE
R/O VILL. NO.3 MURKONGSELEK
P.O. AND P.S. JONAI
DIST- DHEMAJI
PIN-787060

48: KHURSIDA ALAM
D/O MAHAMMAD KHALIL
R/O SENCHOWA
P.O. AND P.S. SIMEN CHAPORI
DIST- DHEMAJI
PIN-78761

49: ERINA BORAH
D/O SRI MUHIDHAR BORAH
R/O PANDHOWA GAON
P.O. MAJBAM CHARIALI
P.S. KHOWANG
DIST- DIBRUGARH
PIN-785675

50: NAYAN MONI CHANGMAI
W/O SRI SANJAY CHANGMAI
P.O. AND P.S. DEMOW
DIST- SIVASAGAR
PIN-785662

51: SMRITIREKHA DUTTA GOGOI
W/O SRI HEMANTA KR. GOGOI
R/O GOJPURIA
P.O. GOJPURIA
P.S. NAHARKATIA
DIST- DIBRUGARH
PIN-786610

52: JUNMONI PHUKAN BORAH
W/O SRI BINANDA BORAH
R/O BARHOIBARI
P.O. JALUKONIBARI
P.S. JORHAT
DIST- JORHAT
PIN-785630

53: PALLABI GOGOI
W/O SRI BIKASH SAIKIA
R/O NABARATNAPUR
P.O. MUDOIBIL
P.S. JENGRAI
PIN- 785105

54: PIMLY BHARALI
W/O SRI DIBYAJYOTI RAJKHOWA
R/O RAJABAHAR
P.O. RAJABAHAR
P.S. PHULBARI
DIST- JORHAT
PIN-785014

55: BULU KONWAR CHANGMAI
W/O ANANDA CHANGMAI
R/O SILAPATHAR BAM GAON
P.O. AND P.S. SILAPATHAR
DIST- DHEMAJI
PIN-787059

56: CHANTA MERI BORAH
W/O SRI ROBIN HANDIQUE
R/O LEZAI
P.O. LEZAI
P.S. BORBORUAH
DIST- DIBRUGARH
PIN-786007

57: SAIFUL HUSSAIN

S/O MD. MOZAMMIL HUSSAIN
R/O NAHARANI
P.O. NAHARANI
P.S. DERGAON
DIST- GOLAGHAT
PIN-78561

VERSUS

THE UNION OF INDIA AND 6 ORS
REP. BY THE SECRETARY, DEPARTMENT OF SCHOOL EDUCATION AND
LITERACY, MINISTRY OF HUMAN RESOURCE DEVELOPMENT, SASHTRI
BHAWAN, NEW DELHI-110001

2:THE JOINT SECRETARY
DEPARTMENT OF SCHOOL EDUCATION AND LITERACY
MINISTRY OF HUMAN RESOURCE DEVELOPMENT
SASHTRI BHAWAN
NEW DELHI-110001

3:THE PROJECT APPROVAL BOARD
DEPARTMENT OF SCHOOL EDUCATION AND LITERACY
MINISTRY OF HUMAN RESOURCE DEVELOPMENT
GOVT. OF INDIA
SASHTRI BHAWAN
NEW DELH-110001

4:THE STATE OF ASSAM
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
ELEMENTARY EDUCATION DEPARTMENT
DISPUR
GHY-6
KAMRUP METRO
ASSAM

5:THE DIRECTOR OF ELEMENTARY EDUCATION
KAHILIPARA
GUWAHATI- 781019
DIST- KAMRUP METRO
ASSAM

6:THE MISSION DIRECTOR
AXOM SARBA SIKSHA ABHIYAN MISSION
KAHILIPARA
GUWAHATI 781019
DIST- KAMRUP METRO
ASSAM

7:THE EXECUTIVE DIRECTOR
AXOM SARBA SIKSHA ABHIYAN MISSION
KAHILIPARA
GUWAHATI -781019
DIST- KAMRUP METRO
ASSA

Advocate for the Petitioner : MR A D CHOUDHURY

Advocate for the Respondent : ASSTT.S.G.I.

BEFORE
HONOURABLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA

O R D E R

17.11.2020

Heard Mr. AD Choudhury, learned counsel for the petitioners, Mr. K Gogoi, learned counsel for the respondents in the Union of India, Mr. B Kaushik, learned standing counsel for the Elementary Education Department of the Government of Assam and Mr. S Bora, learned counsel for the SSA.

Issue notice returnable in four weeks.

Extra copies of the writ petition be furnished to the respective learned counsel within three days.

List the matter after four weeks.

JUDGE

Comparing Assistant