

GAHC010163302025



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

**Case No. : WP(C)/4161/2025**

SRI TILAK CHANDRA HALOI AND ORS  
AGED ABOUT 50 YEARS,  
SON OF LATE RAMESH HALOI,  
R/O VILLAGE- BANGALI PARA,  
P.O.- NIZ BANGALI PARA,  
P.S.- BARAMA, DISTRICT- BAKSA (BTR), ASSAM.

2: SRI. DIPAK KALITA  
AGED ABOUT 48 YEARS

S/O LATE DANDI NATH KALITA

R/O VILLAGE- TOKANKATA

P.O.- THANGURI

DISTRICT- BAKSA  
ASSAM

3: SRI. KANAK DAS  
AGED ABOUT 42 YEARS  
S/O SRI. NABIN DAS

R/O VILLAGE- BHAKATPARA  
P.O. TAMULPUR

DISTRICT TAMULPUR  
ASSA

VERSUS

THE STATE OF ASSAM AND ORS  
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,  
DEPARTMENT OF SCHOOL EDUCATION, DISPUR, GUWAHATI-781006.

2:THE SECRETARY  
EDUCATION DEPARTMENT CUM CHAIRMAN OF DEPARTMENTAL  
PROMOTION COMMITTEE  
BODOLAND TERRITORIAL COUNCIL (B.T.C.)  
KOKRAJHAR

3:THE DIRECTOR OF EDUCATION  
BODOLAND TERRITORIAL COUNCIL  
KOKRAJHAR

4:THE INSPECTOR OF SCHOOLS  
BAKSA DISTRICT CIRCLE  
MUSHALPUR

5:THE SECRETARY  
FINANCE DEPARTMENT  
BODOLAND TERRITORIAL DEPARTMENT  
BODOLAND TERRITORIAL COUNCIL  
KOKRAJHAR

6:THE STATE SELECTION BOARD  
THROUGH THE CHAIRMAN I.E. THE COMMISSIONER AND SECRETARY  
TO THE GOVERNMENT OF ASSAM EDUCATION (SECONDARY)  
DEPARTMENT  
DISPUR  
GUWAHATI-06

7:MD. TAZUDDIN AHMED  
HEADMASTER  
KAURBAHA NAVAMILAN HIGH SCHOOL. P.O.- RANGIA  
DISTRICT-BAKSA  
ASSAM. PIN- 781354

8:SRI. AMULYA KUMAR DAS  
HEADMASTER  
SATI JAYMATI HIGH SCHOOL.P.O.-SARUMANIKPUR  
DISTRICT- BAKSA  
ASSAM PIN- 781329

9:SRI. NARAYAN MEDHI  
HEADMASTER  
BEBEJIPARA HIGH SCHOOL. P.O.- CHARAIMARI  
DISTRICT-BAKSA  
ASSAM. PIN- 781377

10:SRI. MARMESWAR BASUMATARY  
HEADMASTER

GOLAGAON HIMACHAL HIGH SCHOOL.P.O.-GOLAGAON  
DISTRICT-BAKSA  
ASSAM. PIN- 781327

11:SRI. RABIN TALUKDAR  
HEADMASTER  
KOKLABARI GIRLS HIGH SCHOOL. P.O.- GOLAGAON  
DISTRICT-BAKSA  
ASSAM. PIN-781327

12:SRI. JOGEN CHANDRA RAJBONGSHI  
HEADMASTER  
BARKHOPA HIGH SCHOOL. P.O.-BARKHOPA  
DISTRICT-BAKSA  
ASSAM. PIN-781367

13:SRI. MAKAN BARMAN  
HEADMASTER  
SINGIMARI HIGH SCHOOL  
GOESWAR. P.O.-SINGHIMARI  
DISTRICT- NAGAON  
ASSAM. PIN- 781318

14:SRI. BIPUL CHANDRA KALITA  
HEADMASTER  
MADHYA BIJNI HIGH SCHOOL. P.O.-HUDUKHATA  
DISTRICT-BAKSA  
ASSAM. PIN-781318

15:SRI. NARESWAR DAS  
HEADMASTER  
SANTI MANDIR HIGH SCHOOL. P.O.- PALCHIGURI/GUTI  
DISTRICT- BAKSA  
ASSAM. PIN-781318

16:SRI. DEBABRATA CHANDRA DAS  
HEADMASTER  
MAIRAJHAR BRAHMAMAYEE HIGH SCHOOL. P.O.- MAIRAJHAR  
DISTRICT-BAKSA  
ASSAM. PIN- 781315

17:SRI. CHABIN GOYARY  
HEADMASTER  
SILBARI HIGH SCHOOL. P.O.-SILBARI  
DISTRICT-BAKSA  
ASSAM. PIN- 781327

18:SRI. BINALI NARZARY

HEADMASTER  
JND MILAN HIGH SCHOOL. P.O.- JOKMARI/NIZ DEFELI  
DISTRICT- BAKSA  
ASSAM. PIN- 781367

19:SRI. NRIPEN PATHAK  
HEADMASTER  
SRI SRI. LAKSHMI HIGH SCHOOL  
UZIARBARI. P.O.- CHARAIMARI  
DISTRICT-BAKSA  
ASSAM. PIN- 781377

20:SRI. CHIJEN GOYARI  
HEADMASTER  
HIMGIRI BODO MEDIUM HIGH SCHOOL. P.O.-RABANGURI  
DISTRICT-BAKSA  
ASSAM. PIN- 781327

21:SRI. SIRAJ ALI  
HEADMASTER  
KUMARIKATA HIGH MADRASSA  
KUMARIKATA. P.O.- KUMARIKATA  
DISTRICT-BAKSA  
ASSAM. PIN- 781360

22:SRI. SANJAY KUMAR MEDHI  
HEADMASTER  
BARSIRAL HIGH SCHOOL. P.O.- NIZ BARSIRAL  
DISTRICT-BAKSA  
ASSAM. PIN- 781349

23:SRI. MAINUL KHANDAKAR  
HEADMASTER  
LAKHIMI PATHER HIGH SCHOOL.P.O.-CHARAIMARI  
DISTRICT-BAKSA  
ASSAM. PIN-78137

**Advocate for the Petitioner** : MR. S K GOSWAMI, MR. R SHARMA,MS P SARMA

**Advocate for the Respondent** : SC, SEC. EDU., SC, FINANCE,GA, ASSAM,SC, BTC

**BEFORE  
DEPUTY REGISTRAR (BENCH) - MR. SAPTARSHI DAS**

**ORDER**

**Date : 04.11.2025**

Case taken up before the Lawazima Court.

None appears on behalf of the petitioners.

Perused the records.

Perusal of the recent office note dated 03.11.2025 reveals that notice was issued to the respondent Nos. 7 to 23 by way of registered post with A/D mode on 05.08.2025.

Now, in respect of the aforesaid notice issued to the respondent Nos. 7 to 23, this Lawazima Court has observed as follows:—

***Respondent Nos. 10 & 14:***— In respect of the notice issued to the said respondents, it appears that the A/D cards have been received and the same have been tagged with the case record at **Flag-'AD'**. Now, a perusal of the said service report reveals that:—

*(i) The A/D card of respondent No. 10 has been received bearing the purported signature and the official seal of the respondent.*

As such, it may be said that **service in respect of the respondent No. 10 has been completed.**

*(ii) The A/D card of respondent No. 14 has been received bearing signature of a person than the addressee.*

In this context, the Hon'ble Privy Council in the case of **Harihar Banerji v. Ramsashi Roy, 1918 SCC OnLine PC 58** held that *where a notice was sent by registered post properly addressed there is a strong presumption that the notice was properly delivered in the usual course and this is not rebutted by the fact that the acknowledgment is signed by a person other than the addressee.* In the present case, it appears from the A/D card and the office copy of the registered notice that the registered notice was properly addressed to the respondent No. 14. Thus, **in the present case, even though the A/D card was signed by a person other than the respondent himself, the notice will be presumed to be**

**served on the said respondent (respondent No.14).**

***Respondent Nos. 7 to 9, 11, 12, 13, 15 to 23:***— Further, in respect of the notice issued to the said respondents, it appears that neither the A/D cards nor any un-served notices have been received by the concerned section as of yet. However, it has been observed that the postal track consignment details regarding the said notice have been generated and tagged with the case record at **Flag-'TC'**. Now, on a perusal of the said postal tracking reports reveals the following:—

*(i) Notices in respect of the respondent Nos. 7 to 9, 11, 12, 13, 15 to 21 & 23 has been delivered on the dates mentioned below:—*

*On 20.08.2025:— Delivered to the respondent Nos. 7, 19 & 21.*

*On 21.08.2025:— Delivered to the respondent Nos. 8, 9, 12, 16, 18 & 23.*

*On 22.08.2025:— Delivered to the respondent No. 20.*

*On 23.08.2025:— Delivered to the respondent Nos. 11 & 17.*

*On 25.08.2025:— Delivered to the respondent Nos. 13 & 15.*

*(ii) In respect of the respondent No. 22, the postal track consignment report reveals the status as "**Item Transmitted to Uttarbarsiral B.O.**" on 19.08.2025.*

In view of the observations made above, it may be said that **service in respect of the respondent Nos. 7 to 9, 11, 12, 13, 15 to 21 & 23 has been completed.** Further, **as far as the respondent No. 22 is concerned, service of notice upon the said respondent is awaited.**

Further, it appears that a mention has been allowed in the instant matter for listing on 07.11.2025. As such, the matter is laid before the Hon'ble Court.

**Deputy Registrar (Bench)**

**Comparing Assistant**