

GAHC010166652025



2026:GAU-AS:2966

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

Case No. : WP(C)/4333/2025

ABDUL GAFFUR
S/O- LATE BILLAL HUSSAIN
VILL.- BANGALDOBA PART-II
P.O. NAYEKGAON
DIST. KOKRAJHAR
ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM
DEPARTMENT OF SCHOOL EDUCATION (SECONDARY)
DISPUR
GUWAHATI-781006.

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

3:THE DIRECTOR OF SECONDARY EDUCATION
ASSAM-CUM- THE CHAIRMAN OF THE STATE LEVEL SCRUTINY
COMMITTEE
KAHILIPARA
GUWAHATI-781019.

4:THE INSPECTOR OF SCHOOLS
DHUBRI DISTRICT CIRCLE
DHUBRI-CUM- THE MEMBER SECRETARY OF DISTRICT SCRUTINY
COMMITTEE FOR SECONDARY EDUCATION
DHUBRI
P.O. AND DIST. DHUBRI
ASSAM

PIN- 783301.

Advocate for : MR. D A KAIYUM

Advocate for : SC

SEC. EDU. appearing for THE STATE OF ASSAM AND 3 ORS

BEFORE

HON'BLE MR. JUSTICE NELSON SAILO

O R D E R

26.02.2026

Heard Mr. D.A Kaiyum, learned counsel for the petitioner, who submits that the petitioner is before this Court for the second time. The earlier writ petition being WP(C) No.399/2024 was disposed of vide order dated 29.01.2024 by directing the respondent authorities to place the case of the petitioner before the State Level Scrutiny Committee (SLSC) for considering the provincialisation of his service within a time frame. Pursuant thereto, since the order was not complied with, the petitioner filed contempt case before this Court and during the pendency of the contempt petition, the respondent authorities passed an order dated 20.02.2025, by which the claim of the petitioner was rejected for want of resolution from the concerned District Scrutiny Committee.

2. Learned counsel for the petitioner however, contends that the petitioner was indeed recommended by the District Scrutiny Committee, which can be seen from Annexure-3 to the writ petition where the name of the petitioner is mentioned in the ninth column of the chart so prepared. Further, the same has also been admitted by the State respondents in their counter affidavit filed on 21.01.2026 in the instant writ petition by annexing the communication dated 26.06.2019 along with

the chart containing the name of the petitioner. It therefore, appears that the District Scrutiny Committee, Dhubri in its meeting held on 06.09.2017 had duly recommended the name of the petitioner for provincialisation. Such being the case, the impugned order dated 20.02.2025 (annexure-10) is only misconceived and accordingly, the same is set aside.

3. The respondent authorities shall now place the case of the petitioner for consideration by the State Level Scrutiny Committee for considering his case for provincialisation. The respondent No.3 i.e. the Director of Secondary Education shall do the needful for placing the case of the petitioner before the State Level Scrutiny Committee.

4. Such consideration be done as expeditiously as possible and within the outer limit of eight weeks from the date of receipt of a certified copy of this order.

5. With the above observations and direction, the writ petition stands disposed of.

JUDGE

Comparing Assistant