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

Case No. : WP(C)/4540/2023

CHANDAN CH KALITA
S/O LATE BHARAT CH. KALITA, R/O VILL-BAMUNI, DIST-KAMRUP, ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED THROUGH THE SECRETARY, EDUCATION DEPARTMENT,
DISPUR, ASSAM

2:THE DIRECTOR OF SECONDARY EDUCATION
KAHILIPARA
GUWAHATI-19

3:THE INSPECTOR OF SCHOOL
K.D.S.
AMINGAON
GUWAHATI-31

4:HEAD MASTER

BAMUNI HIGH SCHOOL
VILL-BAMUNI
DIST-KAMRUP
ASSA

Advocate for the Petitioner : MR. S K BARKATAKI, MS M DAS,MS B SHARMA,MR D K NATH

Advocate for the Respondent : SC, SEC. EDU.,

**BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

ORDER

Date : 27-01-2026

Ms. R. Baruah, learned standing counsel, Department of School Education submits that the respondents have instructed her that Subodh Kalita is continuing as an Assistant Teacher. The Secretary to the Govt. of Assam, Department of School Education in the speaking order dated 26-06-2023 had held that the up-gradation of Subodh Kalita from the post of LDA to that of Assistant Teacher was improper, further no such up-gradation is permissible under the provisions of Rules holding the field. Accordingly, on the next date of listing, the respondent authority shall apprise this Court as to how the services of Subodh Kalita would now be dealt with by the respondent. Further, the up-gradation of Subodh Kalita was from the post of LDA and admittedly he was so recruited in the post of LDA in clear violation of the norms of such selection.

Registry to list this matter again on 19-02-2026 for further hearing. The learned counsel for the respondent shall complete her instruction by the next date of listing.

JUDGE

Comparing Assistant