

GAHC010057732025



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

Case No. : WA/388/2025

1.MOLIN CHOUDHURY AND ORS
SON OF LT. NAGENDRA CHANDRA CHOUDHURY R/O- NOWGAON, P.O.-
MULAGAON, PIN-783380 DISTRICT- BONGAIGAON, ASSAM. ASSTT.
TEACHER AT UTTAR MAJGAON L.P. SCHOOL

2: RINA RAY
WIFE OF UDDHAB CHANDRA SINGHA R/O- VILL- CHITKAGAON
(CHAPRAKATA) P.O.- CHAPRAKATA PIN-783380 DISTRICT- BONGAIGAON
ASSAM ASSTT. TEACHER AT 50 NO. UTTAR BONGAIGAON L.P. SCHOOL

3: HIMANI CHOUDHURY
WIFE OF DINESH SINGHA R/O- ALUGAON (MAJPARA)
P.O.- MULAGAON PRN-783380 DISTRICT- BONGAIGAON
ASSAM. ASSTT. TEACHER AT ATUGAON UZANPARA L.P. SCHOOL

4: BHARATI BALA BARMAN
WIFE OF KUMAR BHUPENDRA NR. DEV R/O- PURONI BONGAIGAON
(ULUBARI) P.O.- BONGAIGAON PIN-783380 DISTRICT- BONGAIGAON
ASSAM. ASSTT. TEACHER AT ASSTT. TEACHER AT 50 NO. UTTAR
BONGAIGAON L.P. SCHOOL

5: NIPUN DAS
S/O LT. PREMANANDA DAS R/O KAHIPARA P.O CHAKAPARA PIN 783380
DIST. BONGAIGAON ASSAM
ASSTT. TEACHER AT PURANI BONGAIGAON UCCHA BUNIYADI
VIDYALAYA.

6: ARUN KUMAR RAY
S/O LATE LANKESWAR RAY R/O BHAKARIVITA WARD NO. 18
P.O. BONGAIGAON PIN 783380 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER AT 354 NO. GURUGAON L.P. SCHOOL.

7: SUPRIYA SARKAR

W/O RABINDRA BARMAN R/O BARPATHAR P.O. DHALIGAON
PIN 783385 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER AT 672 NO. GHILAGURI L.P. SCHOOL.

8: CHANDANA BHATTACHARYA

W/O ANJAN BHATTACHARYA R/O VILL. NETAJI NAGAR
BABUPARA W. NO. 11 P.O. BONGAIGAON PIN 783380 DIST. BONGAIGAON
ASSAM. ASSTT. TEACHER AT NETAJI VIDYANIKETAN M.E SCHOOL
(PAULPARA).

9: SARITA SINGHA PAUL

W/O TANAY PAUL R/O T.R. PHUKAN ROAD P.O. BONGAIGAON
PIN 783380 DIST. BONGAIGAON
ASSAM ASSTT. TEACHER AT 1050 BONGAIGAON
VIDYAPITH H.S. SCHOOL.

10: DIPALI RAY

D/O LATE MAJEN RAY R/O KHARIJA DALAIGAON PART 1
P.O. BONGAIGAON PIN 783380 DIST. BONGAIGAON
ASSAM. ASSTT. TEACHER AT 48 NO. CHITKAGAON L.P. SCHOOL.

11: NABAJYOTI SINGHA PATHAK

D/O LATE GHITESWAR PATHAK R/O DHALGAON P.O. SIMLAGURI
PIN 783381 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER AT 487 NO. DHALAPUKHRI L.P. SCHOOL.

12: RAJU MANDAL

S/O LT. TEJAM MANDAL R/O OLD COLONY NEAR RAILWAY QUARTER
143/B P.O BONGAIGAON PIN 783380 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER AT HINDI VIDYALAYA M.E. SCHOOL.

13: JOGIN CHANDRA SINGHA

S/O LT. DIRENDRA KUMAR SINGHA R/O CHAKAPARA MERAKOCHA
P.O. CHAKAPARA PIN 783380 DIST. BONGAIGAON
ASSAM. ASSTT. TEACHER OF CHAKAPRA H.S. SCHOOL CHAKAPARA.

14: BISWAJIT MANDAL

S/O LT. PULIN MANDAL R/O SASTRI ROAD WARD NO. 8
P.O. BONGAIGAON PIN 783380 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER AT VIVEKANANDA VIDYAPITH H.S. SCHOOL
NEW BONGAIGAON.

15: PRANAB KUMAR BANIK

S/O LT. NIDHILLA BANIK R/O OLD COLONY SASTRI ROAD
W. NO. 9 P.O. BONGAIGAON PIN 783380 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER AT SANTIDHAM KALIBARI HIGH SCHOOL
(AMALGAMATED)

16: PARTHA ROY

S/O LT. NARAYAN CHANDRA ROY R/O SALBARI UDANAGAR
W 25 P.O. BONGAIGAON PIN 783380 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER AT VIDYA BHAVAN L.P. SCHOOL.

17: KRISHNA PRASAD

S/O RAGHUBIR PRASAD R/O B.T. ROAD W. NO. 1 P.O. BONGAIGAON
PIN 783380 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER AT S.P.D.D. M.E. SCHOOL.

18: JAMUNA SINGHA

D/O LT. TARANI KANTA SINGHA R/O BARSHAGAON P.O. MULAGAON PIN
783380 DIST. BONGAIGAON
ASSAM. ASSTTT. TEACHER AT BIRJHARA GIRLS HIGHER SECONDARY
SCHOOL.

19: SIBA SINGHA RAY

S/O LT. NARESWAR RAY R/O CHIPONCHILA P.O. CHIPONCHILA
PIN783380 DIST. BONGAIGAON
ASSAM. ASSTT. TEACHER AT CHIPONCHILA M.E. SCHOOL.

20: PHANISH NARAYAN DEV

S/O LATE BHUBAN NARAYAN DEV R/O JAKUAPARA P.O. BONGAIGAON
PIN 783380 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER PURANI BONGAIGAON UCCHA BUNIYADI VIDYALAYA
(AMALGAMATED)

21: MD. NABIYAR RAHMAN

S/O MD. AYNAL HAQUE R/O CHIKIBI P.O. VIDYAPUR
PIN 783372 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER ASHRAFUL ULUM M.E. SCHOOL
BOGALMARI (AMALGAMATED)

22: DWIP RAY

S/O MAHESWAR RAY R/O CHANDAL P.O. CHIPONCHILA
PIN 783380 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER OF GANDHI GIRLS M.E. SCHOOL.

23: KAILYANI BALA RAY

R/O CHAKAPARA PT - 1 P.O CHAKAPARA PIN 783380
DIST. BONGAIGAON ASSAM
ASSTT. TEACHER AT CHAKAPARA HIGH SCHOOL (AMALGAMATED)

24: JYOTIRMOY SINGHA

S/O LATE LALIT MOHAN SINGHA R/O P.K. ROAD WARD NO. 5
P.O. BONGAIGAON PIN 783380 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER AT BONGAIGAON M.E. SCHOOL (AMALGAMATED)

- 25: TARANGA KUMAR SINGHA
S/O LATE MAJEN CHANDRA SINGHA R/O MULAGAON P.O. MULAGAON
PIN 783380 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER OF POPRA GAON M.E. SCHOOL.
- 26: RATI KANTA CHOUDHURY
S/O LATE BANESWAR CHOUDHURY R/O DHOLAGAON P.O. NORTH
BOITAMARI PIN 783380 DIST. BONGAIGAON
ASSAM. ASSTT. TEACHER OF DHOLAGAON M.E. SCHOOL
(AMALGAMATED)
- 27: DIPAK KUMAR SINGHA
S/O LATE HITESWAR SINGHA R/O GANDHAL P.O. CHIPONCHILA
PIN 783380 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER KATHALGRI PRATHAMIK VIDYALAYA.
- 28: ARUN KUMAR GOSWAMI
S/O LATE CHADRA KANTA GOSWAMI R/O BOGULAMARI P.O. BILASHPUR
PIN 783372 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER 503 NO. BOGULAMARI L.P. SCHOOL (RETIRED)
- 29: RANGMALA RAY
D/O LATE AKRAM RAY R/O CHAKIHALI P.O. CHAKIHALI PIN 783392
DIST. BONGAIGAON ASSAM
ASSTT. TEACHER ADLAGURI M.E. SCHOOL (RETIRED)
- 30: SAITYANDRA MEDHI
S/O LATE ANANDA PRASAD MEDHI
R/O NOAGAON P.O MULAGAON PIN 783380 DIST. BONGAIGAON ASSAM
HEAD MASTER AT PANEHAPUR M.E. SCHOOL.
- 31: HARI MOHAN RAY
R/O SOUTH DHALIGAON P.O. NEW BONGAIGAON PIN 783381
DIST. BONGAIGAON ASSAM
ASSTT. TEACHER AT 678 NO. HOLLAGURI L.P. SCHOOL.
- 32: BIDYUT CHANDRA RAY
S/O LATE BIRENDRA RAY R/O DEWRIPARA P.O. BONGAIGAON
PIN 783380 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER AT BONGAIGAON HIGH SCHOOL (AMALGAMATED).
- 33: BIMALA PRASAD SINGHA
S/O LATE FESTA RAM SINGHA R/O MULAGAON P.O. MULAGAON
PIN 783380 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER LAL BAHADUR SHASRI H.S. SCHOOL
MULAGAON (AMALGAMATED).

34: MAHESH CHANDAR BARMAN
S/O LATE BHERA RAM BARMAN R/O NAGARIYAGAON P.O. MULAGAON
PIN 783380 DIST. BONGAIGAON ASSAM ASSTT. TEACHER 6 NO.
RASHIGAON BAHIRA CHENGMARI HIGH SCHOOL.

35: LILABATI NATH
D/O LT. DHANESWAR NATH R/O JHAWBARI P.O. CHAKHIALI PIN 783392
DIST. BONGAIGAON ASSAM. ASSTT. TEACHER NOWAGAON HIGH
SCHOOL (AMALGAMATED) (RETIRED)

36: ARUP KUMAR SARKAR
S/O LATE UMESH CHANDRA SARKAR R/O BHAKARIVITA WARD NO. 18
P.O. BONGAIGAON PIN 783380 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER AT BHAKARIVITA M.E. SCHOOL (AMALGAMATED)

37: CHINTA HARAN CHOUDHURY
S/O LATE ASWINI KUMAR CHOUDHURY R/O MULAGAON
P.O. MULAGAON PIN 783380 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER AT 214 NO. SAONAGAON LP. SCHOOL.

38: RANENDRA CHANDRA SINGH
S/O LATE MRIGENDRA CHANDRA SINGHA R/O MULAGAON
P.O. MULAGAON PIN 783380 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER AT TENGAIGAON HIGH SCHOOL (AMALGAMATED)

39: HARKUMAR SINGHA
S/O LATE MAHENDRA SINGHA R/O BARSHAGAON P.O. MULAGAON
PIN 783380 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER AT PURANI BONGAIGAON UCHA BUNYADI
VIDYALAYA (AMALGAMATED)

40: BISESWAR DAS
S/O LATE SUKRABANI DAS R/O KOTHALGURI P.O. CHIPONCHILA
PIN 783380 DIST. BONGAIGAON ASSAM
HEAD TEACHER AT KOTHALGURI PRATHAMIK VIDYALAYA.

41: MIRI CHANDRA MUCHAHARY
S/O ARGESWAR MUCHAHARY R/O TILAKGAON
P.O. TILAKGAON PIN 783373 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER AT SRIMANTA SANKARDEV L.P. SCHOOL.

42: JEUTIMALA SARKAR
D/O DHRUBA LACHON SARKAR R/O CHAKAPARA P.O. CHAKAPARA
PIN 783380 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER NOWAGAON L.P. SCHOOL.

43: BALABHADRA SARKAR
S/O SUKURU RAM SARKAR R/O BANIPARA P.O. DHANTALA BAZAR

PIN 783372 DIST. BONGAIGAON ASSAM
ASSTT. TEACHER DHALAKATA L.P. SCHOOL (RETIRED)

44: BHUBAN CHANDRA DAS
S/O LATE BASANTA KUMAR DAS R/O BONGAIGAON BHAKHARAPARA II
WARD NO. 23 P.O. BONGAIGAON PIN 783380 DIST. BONGAIGAON
ASSAM ASSTT. TEACHER AT POPRAGAON M.E. SCHOOL

VERSUS

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

2:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECY. TO THE GOVT. OF
ASSAM ELEMENTARY EDUCATION DEPTT. DISPUR GUWAHATI 6

3:THE COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM
FINANCE DEPTT. DISPUR GUWAHATI 6

4:THE ADDL. CHIEF SECY. TO THE GOVT. OF ASAM
FINANCE DEPTT. DISPUR GUWAHATI 6

5:THE DIRECTOR OF SECONDARY EDUCATION ASSAM
KAHILIPARA GUWAHATI 19

6:THE DIRECTOR OF ELEMENTARY EDUCATION ASSAM KAHILIPARA
GUWAHATI 19

7:THE INSPECTOR OF SCHOOLS
BONGAIGAON DIST. CIRCLE P.O. BONGAIGAON DIST. BONGAIGAON
ASSAM PIN 783380

8:THE DIST. ELEMENTARY EDUCATION OFFICER
BONGAIGAON DIST. BONGAIGAON ASSAM PIN 783380

9:THE DEPUTY INSPECTOR OF SCHOOLS
BONGAIGAON DIST. CIRCLE BONGAIGAON DIST. BONGAIGAON
ASSAM PIN 78338

Linked Case : WA/258/2025

1.DILIP KR KALITA AND ANR
S/O LT. ANANTA RAM KALITA R/O VILL. DOKUCHI NAGARBERA
P.O. AND P.S. NAGARBERA DIST. KAMRUP ASSAM PIN 781127

2: PADUMI THAKURIA
W/O LT. JIBA KRISHNA THAKURIA
R/O VILL. PUJUPARA P.O. AND P.S. NAGARBERA
DIST. KAMRUP ASSAM PIN 781127

VERSUS

1.THE STATE OF ASSAM AND 8 ORS
REPRESENTED BY THE COMMISSIONER AND SECY. TO THE GOVT. OF
ASSAM EDUCATION DEPTT. (ELEMENTARY) DISPUR GUWAHATI 6

2:THE DIRECTOR ELEMENTARY EDUCATION ASSAM
KAHILIPARA GUWAHATI 19

3:THE DIST. ELEMENTARY EDUCATION OFFICER
KAMRUP AMINGAON GUWAHATI 35

4:THE DEPUTY INSPECTOR OF SCHOOLS
AMINGAON KAMRUP GUWAHATI 35

5:THE BLOCK ELEMENTARY EDUCATION OFFICER
BOKO/CHAMARIA BLOCK DIST. KAMRUP ASSAM CHAMARIA 35

6:THE TREASURY OFFICER AMINGAON GUWAHATI 35

7:THE DIRECTOR OF PENSION ASSAM DISPUR GUWAHATI 6

8:THE ACCOUNTANT GENERAL (AANDE)
ASSAM MAIDAMGAON BELTOLA GUWAHATI 781029

9:THE SECRETARY FINANCE DEPTT.
GOVT. OF ASSAM DISPUR GUWAHATI 6

For the Appellant(s) : Mr. N. Borah, Advocate in WA No.388/2025.

: Mr. R.M. Choudhury, Advocate in WA No.258/2025.

For the Respondent(s) : Mr. S.K. Talukdar, Standing Counsel, Education Department.

: Mr. R. Borpujari, Standing Counsel, Finance Department.

- B E F O R E -

**HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR
HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY**

05.01.2026

(Ashutosh Kumar, CJ)

As prayed for by Mr. R. Borpujari, learned Standing Counsel, Finance Department in order to take definite instruction as to the stand of the State, the cases are adjourned to **09.03.2026**.

JUDGE

CHIEF JUSTICE

Comparing Assistant