

GAHC010180142021



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

Case No. : WP(C)/5750/2021

DR. GOPAL PHUKAN
S/O LATE DAYARAM PHUKAN, R/O TETELIA HILLSIDE, LACHIT
BORPHUKON PATH, NEAR HANUMAN MANDIR, P.S.-JALUKBARI, P.O.-
MALIGAON RAILWAY HEADQUARTERS, GUWAHATI, DIST- KAMRUP(M),
ASSAM, PIN-781033

VERSUS

THE STATE OF ASSAM AND 10 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, HIGHER EDUCATION DEPARTMENT, JANATA
BHAWAN, DISPUR, GUWAHATI-781006

2:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
HIGHER EDUCATION DEPARTMENT
JANATA BHAWAN
DISPUR
GUWAHATI-781006

3:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
FINANCE DEPARTMENT
JANATA BHAWAN
DISPUR
GUWAHATI-781006

4:THE DIRECTOR OF HIGHER EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-781019

5:DUDHNOI COLLEGE
REPRESENTED BY ITS PRINCIPAL
DUDHNOI
DIST- GOALPARA
ASSAM-783124

6:THE GOVERNING BODY
DUDHNOI COLLEGE
REPRESENTED BY ITS SECRETARY
DUDHNOI
DIST- GOALPARA
ASSAM-783124

7:THE PRESIDENT
GOVERNING BODY
DUDHNOI COLLEGE
DUDHNOI
DIST-GOALPARA
ASSAM
PIN-783124

8:THE PRINCIPAL AND SECRETARY
DUDHNOI COLLEGE
DUDHNOI
DIST-GOALPARA
ASSAM-783124

9:THE ACCOUNTANT GENERAL (A AND E)
ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI-781029

10:THE TREASURY OFFICER. GOALPARA
DIST-GOALPARA
ASSAM
PIN-783101

11:THE DIRECTOR OF AUDIT (LOCAL FUND)
ASSAM
KAR BHAWAN COMPLEX
DISPUR
GUWAHATI-78100

Advocate for the Petitioner : MR. P D NAIR

Advocate for the Respondent : SC, HIGHER EDU

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

Date : 02.02.2024

Heard Mr. A. Chetry, learned counsel for the petitioner. Also heard Mr. D. Upamanyu, learned standing counsel, Higher Education appears for respondent Nos. 1, 2 and 4; Mr. R. K. Talukdar, learned standing counsel, Accountant General for respondent No.9 and Mr. A. Chaliha, learned standing counsel, Finance for respondent Nos. 3 and 10.

As per the order of the Lawzima Court dated 12.09.2022, since Notices have been served on the correct address in respect of respondent Nos.5 to 7 and the A/D cards or un-served Notices also have not been received, it is deemed to be served in view of Section 27 of General Clauses Act 1897 read with Order 5, Rule 9, Sub. Rule 5 (proviso) of the CPC. As such, the Notices on respondent Nos. 5 to 7 are held to be served.

Although notices are held to be served but none appears on behalf of the respondent Nos. 5 to 7.

Accordingly, let the matter be listed for admission on 04th March, 2024.

In the meantime, the parties may exchange their pleadings.

JUDGE

Comparing Assistant