

GAHC010181452025



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

Case No. : WP(C)/4704/2025

MISS ELINA NENGNEIHOI DOUNGEL
D/O LATE LIENKHONGAM DOUNGEL REPRESENTED HEREIN BY HER
PATERNAL AUNT AND LEGALLY APPOINTED GUARDIAN SMTI.
CHONGVAH DOUNGEL, (AGED 46 YEARS)
RESIDENT OF GHONIALA, NEAR SAMAJIK PRASANGA, SILCHAR,
DISTRICT CACHAR ASSAM, PIN 788002

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,
DEPARTMENT OF HIGHER EDUCATION, ASSAM SECRETARIAT, BLOCK C,
3RD FLOOR, DISPUR, GUWAHATI, DISTRICT KAMRUP (M), ASSAM, PIN
781006

2:THE ASSAM STATE SCHOOL EDUCATION BOARD
(ASSEB DIVISION 2)
REPRESENTED BY ITS CHAIRMAN
BAMUNIMAIDAN
GUWAHATI
DISTRICT KAMRUP (M)
ASSAM
PIN 781021

3:THE CACHAR COLLEGE SILCHAR
REPRESENTED BY ITS PRINCIPAL
SILCHAR
DISTRICT CACHAR
ASSAM
PIN 788001

4:THE CONTROLLER OF EXAMINATION

ASSEB DIVISION 2
BAMUNIMAIDAN
GUWAHATI
DISTRICT KAMRUP M
ASSAM
PIN 781021

5:THE DIRECTOR OF HIGHER EDUCATION
KAHILIPARA MAIN RD
JATIA
KAHILIPARA
GUWAHATI
ASSAM 78101

Advocate for the Petitioner : MR. A BISWAS, MR P K BASU,MR R KALITA

Advocate for the Respondent : SC, HIGHER EDU, MR S DUTTA (R-3),MR. S DUTTA(R-3),S
PAUL,MS K BORAH(R-3),SC, SEBA

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 18.09.2025

Heard Mr. A. Biswas, learned counsel appearing for the petitioner. Also heard Mr. T. Chutia, learned standing counsel appearing for the Assam State School Education Board and Mr. S. Dutta, learned senior counsel assisted by Ms. K. Borah, learned counsel appearing for the respondent No.3 and Mr. S. Bhuiya, learned counsel appearing for the respondent Nos. 1 and 5.

The grievance canvassed on behalf of the petitioner is that because the petitioner has been marked absent inadvertently by the internal examiner, external examiner and the head of the institution of the respondent No. 3, despite the petitioner had appeared in the

practical test examination for the subject History on 01.02.2025 and having also secured 18 marks, she has been shown failed.

It further appears that the Principal of the Cachar College, Silcahr, has admitted the aforesaid facts and has written to the Controller of the examination, ASSEB, requesting to look into the matter and correct the assessment marks for the petitioner. Upon a pointed query being put to Mr. S. Dutta, learned senior counsel for the respondent No.3 to as what actions have been taken against the internal examiner, external examiner and the head of the institution, who has marked the petitioner absent in the practical test for History in the practical attendance sheet of the final examination and uploaded the same in the concerned portal, he seeks a short accommodation to apprise the same.

Re-list the matter on 22.09.2025.

Interim order, if any, shall continue till the next date of listing.

JUDGE

Comparing Assistant