

GAHC010181502024



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

Case No. : WP(C)/4763/2024

ARAJIT PAUL
S/O- BABUL PAUL, R/O- KRISHNA NAGAR, 2 NO. RATAN DEWRI ROAD, P.S.
AND DIST. HOJAI, ASSAM, PIN- 782435.

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, ELEMENTARY EDUCATION, DISPUR, ASSAM

2:THE DIRECTOR OF ELEMENTARY EDUCATION

KAHILIPARA
GUWHATI
ASSAM
PIN- 781019.

3:THE MISSION DIRECTOR

SAMAGRA SHIKSHA
ASSAM
KAHILIPARA
GUWAHATI
ASSAM
PIN- 781019.

4:THE EXECUTIVE DIRECTOR

SAMAGRA SHIKSHA
ASSAM
KAHILIPARA

GUWAHATI
ASSAM
PIN- 781019.

5:THE DISTRICT ELEMENTARY EDUCATION OFFICER
HOJAI
ASSAM

6:THE DISTRICT LEVEL COMMITTEE
HOJAI
REPRESENTED BY THE ADDITIONAL DISTRICT COMMISSIONER
HOJAI
SHANKARDEV NAGAR
DIST. HOJAI
ASSAM
PIN- 782442.

7:THE DISTRICT COMMISSIONER
HOJAI
DIST. HOJAI
ASSAM
PIN- 782442

Advocate for the Petitioner : MR. A K BARUAH, MR. R A PRAMANIK,MR. H NATH

Advocate for the Respondent : GA, ASSAM, SC, SSA,SC, ELEM. EDU

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

18.09.2024

Heard Shri A.K. Baruah, learned counsel for the petitioner, who has put to challenge an order dated 22.06.2024 whereby the petitioner has been transferred from the Radha Nagar Adarsha Sishu Bidyalaya School (Bengali Medium) to Matin Bazar L.P. School (Assamese Medium).

It is submitted that the petitioner was engaged as an Assistant Teacher (L.P.) who was selected for a Bengali Medium School. It is also submitted that such transfer

is in violation of Office Memorandum dated 05.05.2023.

Let notice be issued, returnable by 4 (four) weeks.

Shri Ganesh Pegu, learned Standing Counsel, Elementary Education Department accepts notice on behalf of the respondent nos. 1 ,2 & 5, Shri B. Choudhury, learned Standing Counsel, SSA accepts notice on behalf of the respondent nos. 3 & 4 and Shri Girin Pegu, the learned State counsel accepts notice on behalf of the respondent nos. 6 & 7.

Extra copies of the writ petition be served upon the learned counsel for the respondents within 2 (two) working days.

Shri Baruah, the learned counsel for the petitioner has informed that in terms of the impugned order, the petitioner had joined the new post and similar issues are pending in some writ petitions, the lead case being WP(C)/3297/2024.

List this matter along with WP(C)/3297/2024.

JUDGE

Comparing Assistant