

GAHC010185972019



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

**Case No. : WP(C)/5867/2019**

NAYEBUR RAHMAN  
S/O- MD. NAZIR ALI, R/O. VILL- GERGERIA, P.S. PATACHARKUCHI, DIST.  
BARPETA (ASSAM).

VERSUS

STATE OF ASSAM AND 5 ORS.  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,  
EDUCATION (ELEMENTARY) DEPTT., ,DISPUR, GHY.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
FINANCE DEPTT.  
DISPUR  
GHY.

3:THE DIRECTOR OF ELEMENTARY EDUCATION  
ASSAM  
KAHILIPARA  
GHY-19.

4:THE BODOLAND TERRITORIAL COUNCIL  
THROUGH ITS SECRETARY  
KOKRAJHAR  
ASSAM.

5:THE DIRECTOR OF EDUCATION  
THE BODOLAND TERRITORIAL COUNCIL  
KOKRAJHAR  
ASSAM.

6:THE DISTRICT ELEMENTARY EDUCATION OFFICER  
BAKSA

ASSAM.

7:COMMISSIONER AND SECRETARY  
WELFARE OF PLAIN TRIBES AND BACKWARD CLASSES DEPARTMENT  
GOVERNMENT OF ASSAM  
DISPUR  
GUWAHAT

**Advocate for the Petitioner** : MS. P BHUYAN, MR. S DUTTA,MR R K DUTTA

**Advocate for the Respondent** : SC, EDU, SC, WPT AND BC,SC, FINANCE,SC, BTC

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

**ORDER**

**Date : 09.08.2024**

Ms. R.B. Bora, learned Standing counsel, B.T.C. has placed on record an order dated 02.08.2024 issued by the Secretary, B.T.C. towards regularizing the period between the date of termination of the petitioner and his reinstatement, which is now regularized.

However, the pay of the said period was held to be not receivable by the petitioner applying the principle of “no work no pay”.

A copy of this order be furnished to the learned counsel for the petitioner to enable him to make his submission in the matter.

Accordingly, list this matter on 30.08.2024. On the next date fixed, further submission in the matter shall be so advanced by the learned counsel for the parties.

**JUDGE**

**Comparing Assistant**