

GAHC010188092025



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

Case No. : I.A.(Civil)/2755/2025

SMT KALPANA GOSWAMI
W/O SHRI RUBUL GOSWAMI, R/O HOUSE NO. 38, SANTIPUR HILL SIDE
WEST, NEAR NAMGHAR, BHOOTNATH ROAD, GUWAHATI 781009

VERSUS

THE STATE OF ASSAM AND ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM,
ELEMENTARY EDUCATION DEPARTMENT, DISPUR, GUWAHATI 781006,
ASSAM

2:THEPRINCIPAL SECRETARY TO THE DEPARTMENT OF ELEMENTARY
EDUCATION
GOVT. OF ASSAM
DISPUR
GUWAHATI 781006
ASSAM

3:THE COMMISSIONER AND SECRETARY TO THE DEPARTMENT OF
ELEMENTARY EDUCATION
GOVT OF ASSAM
DISPUR
GUWAHATI 781006
ASSAM

4:THE DIRECTOR ELEMENTARY EDUCATION ASSAM
GUWAHATI 7810019
DISTRICT KAMRUP(M)
ASSAM

5:THE DISTRICT ELEMENTARY EDUCATION OFFICER
CHATRIBARI

REHABARI
GUWAHATI 8
KAMRUP(M)
ASSAM

6:INSPECTOR OF SCHOOLS DISTRICT ELEMENTARY EDUCATION OFFICER
IC CUM DISTRICT MISSION COORDINATOR
SAMAGRA SIKSHA
KAMRUP(M)
KAHILIPARA
GUWAHATI 781019
ASSAM

7:THE DEPUTY INSPECTOR OF SCHOOLS
GUWAHATI
KAMRUP(M)
CHATRIBARI
REHABARI
GUWAHATI 8
ASSAM

8:SMT NIRMALI CHAKROBORTY
W/O UNKNOWN ASSISTANT TEACHER
BHARALUMUKH LP SCHOOL
R/O GOTANAGAR
GOPAL THAN
HOUSE NO. 2
P.O. GOTANAGAR
P.S. JALUKBARI
DISTRICT KAMRUP(M). ASSAM 78101

Advocate for the Petitioner : JYOTISH DAS,

Advocate for the Respondent : SC, ELEM. EDU,

BEFORE
HONOURABLE MRS. JUSTICE MARLI VANKUNG

ORDER

Date : 21.08.2025

Heard Mr. D. Das, learned counsel for the applicant who has filed an application for setting aside and quashing the show cause notice dated

11.08.2025, issued by the Disciplinary Authority-cum-Director of Elementary Education, Assam during the pendency of the WP(C) No. 28/2025.

The learned counsel submits that despite an order passed by this court in WP(C) No. 28/2025 dated 08.01.2025, wherein this court had ordered that "till the next returnable date, no coercive step be taken against the petitioner", which has been extended time to time, the respondents have passed the impugned order dated 11.08.2025, wherein disciplinary proceedings was initiated against the petitioner and the second charge made against the her is for non-compliance of the transfer order. The learned counsel submits that this is in violation of the order of this court dated 08.01.2025 and hence, the instant IA.

Issue notice to the respondents.

Mr. B. Talukdar, learned standing counsel for Elementary Education accepts notice on behalf of the respondent Nos. 1 to 7 and Mr. R. Sarma accepts notice on behalf of the private respondent No. 8.

No need to issue formal notice. Requisite copies of the IA to be duly furnished to the learned counsels.

The learned counsel for the petitioner has prayed for the stay of impugned order dated 11.08.2025, by submitting that it is a violation of this courts order and that unless stayed, it would cause irreparable prejudice to the petitioner.

Having heard the submissions made by the learned counsel for the petitioner, this court find it appropriate that status quo be maintained, till the

next date of listing.

List the matter **after 4 (four) weeks** for the respondents to file their written objection, if any, positively by the next date.

JUDGE

Comparing Assistant