

GAHC010190072021



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

Case No. : WP(C)/6977/2021

RAHIMA KHATUN
W/O- ABDUR ROUF AHMED, VILL- NANGALKUR, PO- PAHUMARA, DIST-
BARPETA, ASSAM-781308

VERSUS

THE STATE OF ASSAM AND 5 ORS
REP. BY THE PRINCIPAL SECY. TO THE GOVT. OF ASSAM, ELEMENTARY
EDUCATION DEPARTMENT, DISPUR, GHY-06

2:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GHY-19

3:THE DISTRICT ELEMENTARY EDUCATION OFFICER
BARPETA
DIST- BARPETA
ASSAM-781301

4:THE DEPUTY INSPECTOR OF SCHOOLS
BARPETA DISTRICT CIRCLE
BARPETA
ASSAM-781301

5:THE BLOCK ELEMENTARY EDUCATION OFFICER
BARPETA EDUCATION BLOCK
BARPETA
ASSAM-781301

6:BINOD ALI
S/O- LATE ABDUS SOBAN

VILL TEMURA
PO- DHAKUA
DIST- BARPETA
ASSAM-78130

Advocate for the Petitioner : MD S HOQUE, MR M DEKA,MR S JAFRI

Advocate for the Respondent : SC, ELEM. EDU, MS. M. KHATUN,MR. S AHMED

BEFORE
HON'BLE MR. JUSTICE N. UNNI KRISHNAN NAIR
ORDER

22/04/2026

Mr. S Hoque, learned counsel for the petitioner submits that the present writ petition has been instituted by the petitioner with a grievance that her case for provincialisation of her services was not considered by the respondent authorities.

2. Mr. Hoque, learned counsel for the petitioner, however, fairly submits that the Headmaster of the school, who has since attained the age of superannuation, had not pursued the matter with the respondent authorities for provincialisation of the services of the teachers working in the school and accordingly, the case of the petitioner was not placed before the jurisdictional District Level Committee.

3. Mr. Hoque, learned counsel for the petitioner, has further fairly submitted that the petitioner, however, had not approached the departmental authorities, praying for consideration of her case for provincialisation of her services.

4. In view of the above position, Mr. Hoque, submits that he be permitted to

withdraw the present writ petition with liberty to the petitioner to approach the Director of Elementary Education, Assam, praying for consideration of her case for provincialisation of her services under the provisions of the Assam Education (Provincialisation of Services of Teachers and Re-organization of Educational Institutions) Act, 2017.

5. Prayer accepted.

6. The present writ petition stands dismissed on withdrawal with liberty, as prayed for.

7. In the event, the petitioner submits an application before the Director of Elementary Education, Assam, the said application be considered by the respondent authorities, strictly in accordance with the provisions of the Act of 2017.

JUDGE

Comparing Assistant