

GAHC010192382024



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

Case No. : WP(C)/4795/2024

ANUP KALITA AND 43 ORS
S/O- LATE CHANDRA KANTA KALITA
R/O- BHAREGAON, SARUPETA, P.O - SARUPETA, PIN-781318, DIST-
BARPETA, ASSAM.

2: PROTIVA DUTTA
W/O -UTPAL DUTTA

VILL- MERELI PATHER CHABUA
P.O - CHABUA
DIST-DIBRUGARH
PIN - 786184.

3: BHAGYABATI RAJKONWAR
S/O - KHAGEN RAJKONWAR

VILL - NABAJYOTI GAON
P.O-ZALONI
P.S - DIBRUGARH
DIST - DIBRUGARH
PIN- 786602

4: TRAILOKYA BORAH
S/O- KUMUD CHANDRA BORAH

VILL- BAMUNBARI
P.O- BRAHMAJAN
P.S- GOHPUR
DIST - BISWANATH
PIN - 784172

5: JURI CHABUKDHARA
D/O-LATE NIRMAL CHABUKDHARA
VILL- CHUPAHIBARAI

P.O- KALABARI
P.S-GOHPUR
DIST-BISWANATH
PIN-784178

6: JAYANTA BORAH
S/O- LATE BHADRA BORAH

VILL- PURBAJYOTI KRISHIPAM NIGAM

P. O - PULISOMONI
DIST- BISWANATH
PIN- 784178

7: BINANDA KUMAR DEY
S/O-LATE NRIPENDRA KR.DEY

VILL - PURBAJYOTI NIGAM

P. O - PULISOMONI
DIST- BISWANATH
ASSAM
PIN -784178.

8: PRADIP BISWAKARMA
S/O- LATE DAL BAHADUR
VILL- TETONBARI
P.O- TETONBARI
P.S- GOHPUR
DIST- BISWANATH
ASSAM
PIN- 784171

9: BOISYA KAMAN
S/O- LATE BUDHURAM KAMAN

VILL- CATRANGURI

P.O- GOHPUR
DIST- BIWANATH
PIN- 784168

10: SANTANU TALUKDAR
S/O- ACHYUT CHANDRA TALUKDAR

VILL- BHAWANIPUR
PASCHIMHATI
P.O- BHAWANIPUR

P
S- BHAWANIPUR
DIST- BARPETA (BAJALI)
PIN - 781352.

11: PHANINDRA KUMAR DAS
S/O- BIPIN CHANDRA DAS
VILL- SARUTAPA
P.O- SARUTAPA
P.S- BARPETA
DIST- BARPETA
PIN- 781352

12: JNANARANJAN KALITA
S/O -DAMBARUDHAR KALITA

VILL- SARUPETA
CHAPARBARI
P.O- SARUPETA
DIST-BAJALI
ASSAM
PIN-781318

13: UTPAL KUMAR SHARMA
S/O-KRISHNA KANTA SARMA

VILL-BHALAGURI
P/O- BHALAGURI
DIST- BAJALI (BARPETA)
PIN-781318.

14: DHANJIT SARMA
S/O- ANNADA SARMA
VILL-PURAN BHABANIPUR
P/O-PURAN BHABANIPUR
DIST- BAJALI
ASSAM
PIN-781318

15: ABDUL JABBAR
S/O-JULAM HUSSAIN

VILL-BIDYA NAGAR
P/O-RANGAGARH HUJ
DIST- NAGAON
ASSAM
PIN-782002.

16: INTU KAKATI
S/O-LATE BHABA RAM KAKATI

VILL- HUI RANGAGARAH
P/O-RANGAGARAH HUI
DIST- NAGAON
ASSAM
PIN-782002

17: PRADIP CHETRY
S/O-LATE MON BAHADUR CHETRY

VILL-GOGAMUKH NEWAR GAON
P/O- GOGAMUKH
DIST- DHEMAJI
ASSAM
PIN-787034

18: PARAMANANDA LAHAN
S/O-BUDHESWAR LAHAN

VILL-NAPAM
P/O-KHUBALIA
DIST- DHEMAJI
ASSAM
PIN-787057

19: SAIDUL HOQUE
S/O-ARHRAFUL HOQUE

VILL- BIDYAPUR
DHANTOLA
P/O-BIDYAPUR
DIST- BONGAIGAON
ASSAM
PIN-783372.

20: ABUL FARAH AHMED
S/O-ABDUL GOFUR

VILL-CHAKLA PT.1
P/O-CHAKLA
DIST- BONGAIGAON
ASSAM
PIN-783392

21: HIRANYA KUMAR BARUA
S/O- LATE DEBENDRA NR. BASHBARI

VILL-BASHBARI PT-1
P/O-BONGAIGAON
DIST- BONGAIGAON
ASSAM
PIN-783380

22: NILIMOY KAKATI
S/O-LATE KHAGEN KAKATI

VILL- BARBILA
P/O-BARBILA
DIST- BONGAIGAON
ASSAM
PIN -783392

23: REKHA RANI DEVI
W/O-BHASKAR SARMAH

VILL- DEOPANI GOHAIN GAON
P/O-NAZIRA
DIST- SIBSAGAR
ASSAM
PIN-785684

24: RITUNJOY CHANGMAI
S/O-KRISHNA CHANGMAI

VILL-KHAMUN
P/O-ONGC COLONY
DIST- SIBSAGAR
ASSAM
PIN-785697

25: MINAKHI BORA
W/O-KARUN BORA

VILL- NITAIPUKHURI GAON
P/O-NITAIPUKHURI
DIST- SIBSAGAR
ASSAM
PIN-785671

26: RANU GOGOI HANDIQUE
C/O- CHANDAN HANDIQUE

VILL- DEROI HABI

P/O- DEORIHABI CHAKALIA
DIST- SIBSAGAR
ASSAM
PIN-785669

27: UTTAMJIT BORAH
C/O-PRAFULLA BORAH

VILL- SANTIPUR
BOKABIL
P/O-NAKATANI
DIST- SIBSAGAR
PIN-785667

28: ABHIJEET MOHAN
S/O-SINGHESWAR PHUKAN
VILL- HABIRAM PATH
BEHIND HDFC BANK
WARD NO.11
P/O- SIBSAGAR
DIST- SIBSAGAR
ASSAMPIN-785640

29: MALA CHETIA DUTTA
D/O-PRIYA NATH CHETIA

VILL - DEOPANI GOHAIN GAON
P/O-NAZIRA
DIST - SIBSAGAR
ASSAM
PIN-785684

30: BALUBHADRA GOGOI
C/O-PADMESWAR GOGOI

VILL-THOWRA DOLE GAON
RAJMAI
P/O-RAJMAI
DIST- SIBSAGAR
ASSAM
PIN-785672

31: SADDIK RAJKHOWA
S/O- ISAD ALI RAJKHOWA

VILL- GELEKI GRANT NO. 1
P/O -GELEKI
DIST - SIBSAGAR

ASSAM
PIN-785696

32: NABAJYOTI RAJKONWAR
C/O-LAKHAN RAJKONWAR

VILL- MAIBELLA 101 NO GRANT
P/O-MAIBELLA
DIST- CHARAIDEO
ASSAM
PIN-785689

33: SRIMANTA DUTTA
C/O- CHAIDANANDA DUTTA

VILL- DUARAHPAR GAON
BARUATI
P/O- CHAMUA KHANIKAR
DIST- SIBSAGAR
ASSAM
PIN-785661

34: RAMESH KUMAR SAHU
S/O- UPEN SAHU
VILL-NAZIRA
WARD NO.9
P/O- NAZIRA
P/S- NAZIRA
DIST- SIBSAGAR
ASSAM
PIN-785685

35: TANMOI SAIKIA
S/O-PUNI RAM SAIKIA

VILL- KALYANPUR
P/O-KAMPUR
DIST NAGAON
ASSAM
PIN- 782426

36: RANJON GOGOI
S/O- LATE GOGOI

VILL- AKA GAON
P/O- NA- BHETA
DIST- GOLAGHAT
ASSAM

PIN-785622

37: ACHUT CHUTIA
S/O- JOYRAM CHUTIA

VILL-SOMDER GAON
P/O- DIKSHU
DIST- SIBSAGAR
ASSAM
PIN-785684

38: HIRONMOY KAKATY
C/O- DHANYA KAKOTY

VILL-DIKSHU KAKOTY GAON
P/O-DIKSHU
DIST- SIVASAGAR
PIN-785684

39: RAJSHEKHAR BHARALI
S/O-ABHAYA NANDA BHARALI

VILL-CHRING
SANTIPARA
P/O-HATIGHULI
DIST- SIVASAGAR
ASSAM
PIN-785664

40: JASMIN SULTANA
D/O-NASIR UDDIN AHMED

VILL-BANGARIGURI PAM
P/O-JAJORI
DIST- NAGAON
ASSAM
PIN-782442

41: MOUCHUMI RAJKHOWA
C/O-LATE RAM RAJKHOWA

VILL- THALIPUKURIA

P/S- GOHPUR
P/O- GOHPUR
DIST- BISWANATH
ASSAM
PIN-784172.

42: SWAPAN KUMAR BORAH
S/O-BIDYADHAR BORAH

R/O-RONGAMATI
CILIMKHOWA
NAGAON
BARJURI
ASSAM
PIN-782139.

43: RATUL SEN
S/O-KRIPA SINDHU SEN
R/O-SWARUPANANDA ROAD
NEAR RAILWAY GATE NO.02
WARD NO.06
HOJAI
NAGAON
ASSAM
PIN-782435.

44: ABDUL HAI AHMED
S/O- ABDUL KHALEQUE
R/O-MANIKPUR
P.O- KRISHNAI
PIN-783126

DIST- GOWALPARA

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY ITS COMMISSIONER TO THE GOVERNMENT OF
ASSAM, (EDUCATION) SECONDARY DEPARTMENT, DISPUR, GUWWHATI-
06.

2:THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM
EDUCATION DEPARTMENT
DISPUR
GUWAHATI-06.

3:THE DIRECTOR OF SECONDARY EDUCATION
KAHILIPARA
GUWAHATI-19
ASSAM.

4:THE FINANCE DEPARTMENT
REPRESENTED BY COMMISSIONER AND SECRETARY

DISPUR
GUWAHATI-06.

5:THE RASHTRIYA MADHYAMIK SHIKSA ABHIYAN (RMSA)
REPRESENTED BY ITS MISSION DIRECTOR
KAHILIPARA
GUWAHATI-19

Advocate for the Petitioner : MR B P BORAH, MISS. J GOGOI,A KALITA,MR J. B.
CHOUDHURY,MR. A KHANDAKAR,MR P J DUTTA

Advocate for the Respondent : SC, SEC. EDU., SC, FINANCE DEPTT.

BEFORE

HON'BLE MR. JUSTICE LANUSUNGKUM JAMIR

O R D E R

20.09.2024

Heard Mr. P.K. Goswami, learned Senior counsel, assisted by Mr. B.P. Borah, learned counsel for the petitioners.

Issue notice.

Mr. S.M.T. Chistie, learned Standing Counsel, Secondary Education Department, Government of Assam, appears for respondent Nos.1, 2 and 3 and Mr. B. Gogoi, learned Standing Counsel, Finance Department as well as RMSA, appears for respondent Nos.4 and 5.

Notice on respondents are complete.

However, extra copy of the writ petition be furnished to learned counsel for the respondents during the course of the day.

Respondents are allowed to file affidavit.

List the matter again after four weeks.

Prayer for interim shall be considered on the next returnable date.

JUDGE

Comparing Assistant