

GAHC010192382024



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**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- HUIJ RANGAGARAH  
P/O-RANGAGARAH HUIJ  
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.

Linked Case : WP(C)/6525/2024

ANUP KALITA AND 41 ORS  
S/O- LATE CHANDRA KANTA KALITA  
R/O-BHAREGAON  
SARUPETA  
P.O SARUPETA  
PIN-781318  
DIST- BARPETA  
ASSAM

2: TRAILOKYA BORAH  
S/O- KUMUD CHANDRA BORAH  
AGE ABOUT-42 YEARS  
VILL- BAMUNBARI  
P.O- BRAHMAJAN  
P.S- GOHPUR  
DIST BISWANATH  
PIN 784172

3: JURI CHABUKDHARA  
D/O-LATE NIRMAL CHABUKDHARA  
AGE ABOUT-42 YEARS  
VILL- CHUPAHIBARAI  
P.O- KALABARI  
P.S-GOHPUR  
DIST-BISWANATH  
PIN-784178

4: JAYANTA BORAH

S/O- LATE BHADRA BORAH  
AGE- 48 YEARS  
VILL- PURBAJYOTI KRISHIPAM NIGAM  
P. O PULISOMONI  
DIST- BISWANATH  
PIN- 784178

5: BINANDA KUMAR DEY  
S/O-LATE NRIPENDRA KR.DEY  
AGE- 50 YEARS  
VILL - PURBAJYOTI NIGAM  
P. O PULISOMONI  
DIST- BISWANATH  
ASSAM  
PIN 784178.

6: PRADIP BISWAKARMA  
S/O- LATE DAL BAHADUR  
AGE ABOUT-50YEARS  
VILL- TETONBARI  
P.O- TETONBARI  
P.S- GOHPUR  
DIST- BISWANATH  
ASSAM  
PIN- 784171

7: BOISYA KAMAN  
S/O- LATE BUDHURAM KAMAN  
AGE ABOUT-50 YEARS  
VILL- CATRANGURI

P.O- GOHPUR  
DIST- BIWANATH  
PIN- 784168

8: SANTANU TALUKDAR  
S/O- ACHYUT CHANDRA TALUKDAR  
AGE- 42 YEARS  
VILL- BHAWANIPUR  
PASCHIMHATI  
P.O- BHAWANIPUR  
P  
S- BHAWANIPUR  
DIST- BARPETA (BAJALI)  
PIN - 781352

9: PHANINDRA KUMAR DAS  
S/O- BIPIN CHANDRA DAS

AGE- YEARS  
VILL- SARUTAPA  
P.O- SARUTAPA  
P.S- BARPETA  
DIST- BARPETA  
PIN- 781352

10: JNANARANJAN KALITA  
S/O DAMBARUDHAR KALITA  
AGE- YEARS  
VILL- SARUPETA  
CHAPARBARI  
P.O- SARUPETA  
DIST-BAJALI  
ASSAM  
PIN-781318

11: UTPAL KUMAR SHARMA  
S/O-KRISHNA KANTA SARMA  
AGE ABOUT-51 YEARS  
VILL-BHALAGURI  
P/O- BHALAGURI  
DIST- BAJALI (BARPETA)  
PIN-781318

12: DHANJIT SARMA  
S/O- ANNADA SARMA AGE ABOUT-47 YEARS  
VILL-PURAN BHABANIPUR  
P/O-PURAN BHABANIPUR  
DIST- BAJALI  
ASSAM  
PIN-781318

13: INTU KAKATI  
S/O-LATE BHABA RAM KAKATI  
AGE ABOUT-45 YEARS  
VILL- HUIJ RANGAGARAH  
P/O-RANGAGARAH HUIJ  
DIST- NAGAON  
ASSAM  
PIN-782002

14: SAIDUL HOQUE  
S/O-ARHRAFUL HOQUE  
AGE ABOUT-40 YEARS  
VILL- BIDYAPUR  
DHANTOLA  
P/O-BIDYAPUR

DIST- BONGAIGAON  
ASSAM  
PIN-783372

15: ABUL FARAH AHMED  
S/O-ABDUL GOFUR  
AGE ABOUT-38 YEARS  
VILL-CHAKLA PT.1  
P/O-CHAKLA  
DIST- BONGAIGAON  
ASSAM  
PIN-783392

16: HIRANYA KUMAR BARUA  
S/O- LATE DEBENDRA NR. BASHBARI  
AGE ABOUT- 40 YEARS  
VILL-BASHBARI PT-1  
P/O-BONGAIGAON  
DIST- BONGAIGAON  
ASSAM  
PIN-783380

17: NILIMOY KAKATI  
S/O-LATE KHAGEN KAKATI  
AGE ABOUT-43 YEARS  
VILL- BARBILA  
P/O-BARBILA  
DIST- BONGAIGAON  
ASSAM  
PIN -783392

18: REKHA RANI DEVI  
W/O-BHASKAR SARMAH  
AGE ABOUT-49 YEARS  
VILL- DEOPANI GOHAIN GAON  
P/O-NAZIRA  
DIST- SIBSAGAR  
ASSAM  
PIN-785684

19: RITUNJOY CHANGMAI  
S/O-KRISHNA CHANGMAI  
AGE ABOUT-46 YEARS  
VILL-KHAMUN  
P/O-ONGC COLONY  
DIST- SIBSAGAR  
ASSAM  
PIN-785697

20: MINAKHI BORA  
W/O-KARUN BORA  
AGE ABOUT-49 YEARS  
VILL- NITAIPUKHURI GAON  
P/O-NITAIPUKHURI  
DIST- SIBSAGAR  
ASSAM  
PIN-785671

21: RANU GOGOI HANDIQUE  
C/O- CHANDAN HANDIQUE  
AGE ABOUT-44 YEARS  
VILL- DEROI HABI

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

22: UTTAMJIT BORAH  
C/O-PRAFULLA BORAH  
AGE ABOUT-47 YEARS  
VILL- SANTIPUR  
BOKABIL  
P/O-NAKATANI  
DIST- SIBSAGAR  
PIN-785667

23: ABHIJEET MOHAN  
S/O-SINGHESWAR PHUKAN  
VILL- HABIRAM PATH  
BEHIND HDFC BANK  
WARD NO.11  
AGE ABOUT-53 YEARS  
P/O- SIBSAGAR  
DIST- SIBSAGAR  
ASSAMPIN-785640

24: MALA CHETIA DUTTA  
D/O-PRIYA NATH CHETIA  
AGE ABOUT-44 YEARS  
VILL DEOPANI GOHAIN GAON  
P/O-NAZIRA  
DIST SIBSAGAR  
ASSAM  
PIN-785684

25: BALUBHADRA GOGOI  
C/O-PADMESWAR GOGOI  
AGE ABOUT-45 YEARS  
VILL-THOWRA DOLE GAON  
RAJMAI  
P/O-RAJMAI  
DIST- SIBSAGAR  
ASSAM  
PIN-785672

26: SADDIK RAJKHOWA  
S/O- ISAD ALI RAJKHOWA  
AGE ABOUT-44 YEARS  
VILL- GELEKI GRANT NO. 1  
P/O GELEKI  
DIST SIBSAGAR  
ASSAM  
PIN-785696

27: NABAJYOTI RAJKONWAR  
C/O-LAKHAN RAJKONWAR  
AGE ABOUT- 47 YEARS  
VILL- MAIBELLA 101 NO GRANT  
P/O-MAIBELLA  
DIST- CHARAIDEO  
ASSAM  
PIN-785689

28: SRIMANTA DUTTA  
C/O- CHAIDANANDA DUTTA  
AGE ABOUT-46 YEARS  
VILL- DUARAHPAR GAON  
BARUATI  
P/O- CHAMUA KHANIKAR  
DIST- SIBSAGAR  
ASSAM  
PIN-785661

29: RAMESH KUMAR SAHU  
S/O- UPEN SAHU  
AGE ABOUT-40 YEARS  
VILL-NAZIRA  
WARD NO.9  
P/O- NAZIRA  
P/S- NAZIRA  
DIST- SIBSAGAR  
ASSAM  
PIN-785685

30: RANJON GOGOI  
S/O- LATE GOGOI  
AGE ABOUT-48 YEARS  
VILL- AKA GAON  
P/O- NA- BHETA  
DIST- GOLAGHAT  
ASSAM  
PIN-785622

31: ACHUT CHUTIA  
S/O- JOYRAM CHUTIA  
AGE ABOUT-40YEARS  
VILL-SOMDER GAON  
P/O- DIKSHU  
DIST- SIBSAGAR  
ASSAM  
PIN-785684

32: HIRONMOY KAKATY  
C/O- DHANYA KAKOTY  
AGE ABOUT-44 YEARS  
VILL-DIKSHU KAKOTY GAON  
P/O-DIKSHU  
DIST- SIVASAGAR  
PIN-785684

33: RAJSHEKHAR BHARALI  
S/O-ABHAYA NANDA BHARALI  
AGE ABOUT-37 YEARS  
VILL-CHRING  
SANTIPARA  
P/O-HATIGHULI  
DIST- SIVASAGAR  
ASSAM  
PIN-785664

34: MOUCHUMI RAJKHOWA  
C/O-LATE RAM RAJKHOWA  
AGE ABOUT-51 YEARS  
VILL- THALIPUKURIA

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

35: SWAPAN KUMAR BORAH  
S/O-BIDYADHAR BORAH

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

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

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

DIST- GOWALPARA

38: SHAFIQUL ISLAM  
S/O- LATE JUL HUSSAIN AHMED  
VILL- TUKURA PART III  
P.O- TUKURA  
DIST- GOALPARA  
PIN-783126

39: SHEIKH MOHAMMAD ALI  
S/O-LATE FUL MAMUD SHEIKH  
VILL- KHAMAR MANIKPUR  
P.O- KRISHNAI  
PIN-781326  
DIST- GOALPARA  
ASSAM

40: NABAJYOTI NATH  
S/O-LATE GANESH NATH  
R/O- 1 NO KAKI 1 NO GAON  
P.O- KAKI  
PIN-782442

DIST- HOJAI

41: RIMJHIM MOHAN BARTHAKUR  
C/O- REBOTI MOHAN BARTHAKUR  
R/O-ATIGAON  
P.O-KAMPUR  
DIST- NAGAON  
ASSAM  
PIN-782426  
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 : MR. B P BORAH  
Advocate for : SC  
FINANCE appearing for THE STATE OF ASSAM AND 4 ORS

**BEFORE**  
**HON'BLE MR. JUSTICE LANUSUNGKUM JAMIR**  
**O R D E R**

**18.12.2024**

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

On request made by Mr. SMT Chisti, learned Standing Counsel, Secondary Education Department, Assam, list the matters again on 19.12.2024.

**JUDGE**

**Comparing Assistant**