

GAHC010192752022



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

Case No. : WP(C)/6213/2022

MD. JAKIR HUSSAIN
S/O RUCHAMAT ALI, R/O VILL- GOHAIN DOLONI, P.S.-BIHPURIA, PIN-
787054, DIST-LAKHIMPUR, ASSAM

VERSUS

THE STATE OF ASSAM AND 7 ORS
REPRESENTED BY COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, SECONDARY EDUCATION DEPARTMENT,
DISPUR, GUWAHATI-781006, DIST- KAMRUP(M), ASSAM

2:THE DIRECTOR OF SECONDARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19

3:MISSION DIRECTOR
RASHTRIYA MADHYAMIK SIKSHA ABHIJAN
ASSAM
KAHILIPARA
GUWAHATI-19

4:THE DEPUTY COMMISSIONER
LAKHIMPUR
NORTH LAKHIMPUR
PIN-787001
ASSAM

5:DISTRICT MISSION CO-ORDINATOR
AXOM SARBA SIKSHA ABHIJAN MISSION
LAKHIMPUR-787001
DIST-LAKHIMPUR

ASSAM

6:THE INSPECTOR OF SCHOOLS
L.D.C. NORTH LAKHIMPUR
LAKHIMPUR-787001
ASSAM

7:ABDUS DEWAN SATTAR
S/O LATE ABDUL KHALEK
R/O VILL-DAULATPUR
P.O.-DAULATPUR
P.S.-BIHPURIA
PIN-787054
DIST-LAKHIMPUR
ASSAM

8:THE HEAD MISTRESS
TINTHENGIA HIGH MADRASSA
TINTHENGIA VILLAGE
P.O.-DAULATPUR
P.S.-BIHPURIA
PIN-787054
DIST-LAKHIMPUR
ASSA

Advocate for the Petitioner : MR B SAIKIA

Advocate for the Respondent : SC, SEC. EDU.

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO**

ORDER

21.09.2022

Heard Mr. B. Borgohain, learned counsel for the petitioner, who submits that the petitioner is aggrieved with the Communication dated 09.09.2022 (Annexure-11), which was sent to him by Whatsapp, asking him to handover the charge of the post of President, School Management & Development Committee of Tinthengia High

Madrassa (now High School) in the district of Lakhimpur, Assam. By the impugned Communication, the petitioner has been asked to handover the charge to the new President.

The learned counsel submits that the impugned Communication was not preceded by following the principles of natural justice since no opportunity was given to the petitioner to respond to any complaints made against him.

In view of above, issue notice of motion, returnable by 4 (four) weeks.

Mr. S.M.T. Chistie, learned counsel appears and accepts notice on behalf of the respondent Nos. 1, 2 & 6. Mr. P. Saikia, learned counsel appears and accepts notice on behalf of the respondent No. 4. Mr. B. Gogoi, learned counsel accepts notice on behalf of the respondent Nos. 3 & 5. The name of Mr. B. Gogoi, learned counsel be shown in the cause list as Standing Counsel, SSA.

Petitioner to take steps for service of notice upon the respondent Nos. 7 & 8 by registered post with A/D due within 3 (three) days.

List the matter again after 4 (four) weeks.

JUDGE

Comparing Assistant