

GAHC010195362021



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

Case No. : WP(C)/6697/2021

ANOWAR HUSSAIN SHEIKH
S/O LATE AYEN UDDIN SHEIKH, VILL. KATLAMARI PT IV, P.O.PADMER
ALGA, P.S. DHUBRI, DIST. DHUBRI, ASSAM, PIN 783339

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE COMMISSIONER AND SECY. TO THE GOVT. OF
ASSAM, EDUCATION DEPTT. (ELEMENTARY), DISPUR, GUWAHATI 6

2:THE UNIVERSITY GRANTS COMMISSION (UGC)
BAHADUR SHAH ZAGAR MARG
NEW DELHI 110002

3:THE DIRECTOR OF ELEMENTARY EDUCATION

ASSAM CUM THE CHAIRMAN OF STATE LEVEL SCRUTINY COMMITTEE
ASSAM
KAHILIPARA
GUWAHATI 19

4:THE DIST. SCRUTINY COMMITTEE FOR ELEMENTARY EDUCATION

DHUBRI REPRESENTED BY ITS CHAIRMAN
THE DEPUTY COMMISSIONER
DHUBRI
ASSAM
PIN 783301

5:THE DIST. ELEMENTARY EDUCATION OFFICER

DHUBRI

DIST. DHUBRI
ASSAM
PIN 783301

6:THE BLOCK ELEMENTARY EDUCATION OFFICER

GAURIPUR
DIST. DHUBRI
ASSAM
PIN 783331

7:ABDUL JUBBAR MAZUMDER

S/O LT. TAHAJUDDIN BEPARI
R/O WARD O. XI
BAHADURTARI
P.O. AND P.S. DHUBRI
DIST. DHUBRI
ASSAM
PIN 78330

Advocate for the Petitioner : MR. N AHMED

Advocate for the Respondent : SC, ELEM. EDU

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

15.12.2021

Heard Mr. N. Ahmed, learned counsel for the petitioner as well as Mr. G. Pegu, learned Standing counsel for the Elementary Education and Mr. M.P. Deka, learned Standing counsel for the respondent no.2 and Ms. D.D. Barman, learned Additional Senior Government Advocate for the respondent nos.1, 3, 5 and 6.

In view of the provision of section 14 of the Assam Education (Provincialisation of Services of Teachers and Re-organization of Educational Institutions) Act, 2017 provided for application of alternative remedy,

preliminary objection is raised by the learned State counsel and learned Standing counsel for the Elementary Education Department.

Keeping the issue of maintainability open, issue notice including notice on the prayer for interim relief returnable on 31.01.2022.

Requisite additional copies of the writ petition be served on the learned Standing counsel and Government Advocate within the course of the day.

The petitioner shall take steps within 2(two) days for service of notice on the respondent no.7 by registered post with A/D.

List the matter on 31.01.2022.

JUDGE

Comparing Assistant