

GAHC010201132024



2026:GAU-AS:3940

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

Case No. : WP(C)/5138/2024

NILOTPOL DAS AND 6 ORS
S/O- LT. NIKHIL CHANDRA DAS,
R/O- VILL- GHORAMARA, P.O.- CHAITANYA NAGAR,
DISTRICT- KARIMGANJ, ASSAM.

2: SUJIT NAMASUDRA
S/O LT. SUKHAMOY NAMASUDRA

R/O- VILL. JATAI
P.O.- SHAYAM NAGAR

P.S. AND DISTRICT- KARIMGANJ
ASSAM.

3: APURBA CHAKRABORTY
S/O- LT. RANADHAN CHAKRABORTY

R/O- VILL. DHURAJIN
P.O.- LATU

DISTRICT- KARIMGANJ
ASSAM.

4: RAM JANAM KURMI
S/O- LT. JAGADISH KURMI

R/O- BIDYANAGAR
P.O.- BIDYANAGAR

DISTRICT- KARIMGANJ
ASSAM.

5: KUTUB UDDIN CHOUDHURY
S/O- LATE MEHTAB UDDIN CHOUDHURY

R/O- VILL. AND P.O.- BAGBARI
DISTRICT- KARIMGANJ
ASSAM.

6: NARAYAN CHANDRA PAUL
S/O- LT. SRISH CHANDRA PAUL
R/O- VILL.- GIADHURA
P.O. KARNAMADHU
DISTRICT- KARIMGANJ
ASSAM.

7: BIDHU BHUSAN DAS
S/O- LATE ADHAR CHANDRA DAS
R/O- VILL.- KHOLA
P.O.- MARJATKANDI
DISTRICT- KARIMGANJ
ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS
THROUGH THE SECRETARY TO THE GOVERNMENT OF ASSAM,
SCHOOL EDUCATION DEPARTMENT, ASSAM,
DISPUR, GUWAHATI- 781006.

2:THE COMMISSIONER TO THE GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI- 781006.

3:THE CHAIRMAN
COMMITTEE ON PETITIONS
ASSAM LEGISLATIVE ASSEMBLY
DISPUR
GUWAHATI- 781006.

4:THE DIRECTOR OF SECONDARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI- 781019.

5:THE INSPECTOR OF SCHOOLS
KARIMGANJ
P.O. KARIMGANJ
DISTRICT- KARIMGANJ
ASSAM
PIN- 788710.

6:THE TREASURY OFFICER
KARIMGANJ
BADARPUR
R.K. NAGAR
P.O.- KARIMGANJ
DISTRICT- KARIMGANJ
ASSAM
PIN- 788710

Advocate for the Petitioner : MR. I H SAIKIA, MR. M R CHOUDHURY,MR. K KALITA,MR. B BORAH

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

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 18-03-2026

Heard Mr. I. H. Saikia, learned counsel for the petitioners. Also heard Mr. P. P. Dutta, learned Standing Counsel, Secondary Education Department, and Mr. R. Borpujari, learned Standing Counsel, Finance Department.

The petitioners, claim to have been appointed as Grade-IV in the various High Schools of Karimganj District (now Sribhumi), have challenge the decision of the respondent authorities to discharge them being the excess appointees by providing a package to them on the basis of the service they have rendered.

During the pendency of the present writ petition, the respondent authorities have considered the case of the petitioners by providing them an opportunity of hearing and have arrived at a conclusion that the appointment of the petitioners were in violation of the applicable Recruitment Rules as well as

Articles 14 & 15 of the Constitution of India and therefore, the petitioners have been held to have no right to continue in their posts or to claim any benefits, including the salary.

In view of the subsequent development, whereby the petitioners' cases appears to have been considered and rejected, Mr. I. H. Saikia, learned counsel for the petitioners, submits that he may be allowed to withdraw this writ petition with a liberty to challenge the decision of the respondent authorities.

The prayer for withdrawal of the writ petition is accepted.

Accordingly, writ petition stands closed on withdrawal with a liberty, as prayed for.

Mr. P. P. Dutta, learned Standing Counsel, Secondary Education Department, shall furnish a copy of the decision dated 16.03.2026 to Mr. I. H. Saikia, learned counsel for the petitioners.

A copy of the communication and the decision dated 16.03.2026 are kept on record and marked as Document "X".

JUDGE

Comparing Assistant