

GAHC010202172024



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

Case No. : Cont.Cas(C)/537/2024

KARTIK NATH
S/O- LATE NAMORAM NATH, R/O- VILL.- SONARIAT GAON, P.O.
RANGACHAI, MAJULI, DIST. MAJULI, ASSAM, PIN- 785104.

VERSUS

NARAYAN KONWAR AND 3 ORS.
THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
DEPARTMENT OF EDUCATION (HIGHER), DISPUR, GHY-6.

2:PAMI BARUAH
THE DIRECTOR OF HIGHER EDUCATION
ASSAM
KAHILIPARA
GHY-19.

3:PITAMBAR DEV GOSWAMI
PRESIDENT
THE GOVERNING BODY
MAJULI COLLEGE
DIST. MAJULI
ASSAM
PIN- 785105.

4:PRABIN SARMA
THE PRINCIPAL
MAJULI COLLEGE
DIST. MAJULI
ASSAM-785105

Advocate for the Petitioner : MR. S J SARMAH, MR G G GOGOI

Advocate for the Respondent : MR. A R TAHBILDAR (R2),

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

Date : 24.11.2025

Heard Mr. S.J. Sarmah, learned counsel for the petitioner. Also heard Mr. A.R. Tahbildar, learned counsel for the respondent/contemnor No. 2.

During the course of hearing, Mr. Tahbildar, learned counsel for the respondent/contemnor No. 2 has produced one speaking order passed by the Director of Higher Education, Assam, dated 09.05.2025, and on the basis of the said speaking order, Mr. Tahbildar submits that the order of this Court, dated 18.01.2024, passed in WP(C) No. 3711/2018, has been complied with.

However, perusal of the said speaking order indicates that the post against which the present petitioner was appointed, was against the vacant post of Sri Bhuban Ch. Saikia, retired Lecturer, Department of Assamese and the said post, which was advertised, was transferred to another college for regularization of person working against non-sanctioned post, and this is one of the grounds for regretting the proposal submitted by the Principal, Majuli College for appointment of Lecturer in the Department of Assamese.

Under the aforementioned facts and circumstances, it is provided that Mr. Tahbildar, learned counsel for the respondent/contemnor No. 2 shall obtain instruction as to when the post which was held by Sri Bhuban Ch. Saikia, retired Lecturer, Department of Assamese, was transferred to another college, and also produce the relevant documents regarding the transfer of the aforementioned post on next date.

List the matter on 08.12.2025.

The speaking order dated 09.05.2025, produced by Mr. Tahbildar, shall be marked as 'X' and tagged with the record.

JUDGE

Comparing Assistant