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

Case No. : WP(C)/4114/2024

HIRANYA DAS AND ANR
SON OF LATE GOPI RAM DAS, RESIDENT OF VILLAGE PUB-SALMARA,
UNDER P.O. PHULAGURI IN THE DISTRICT OF NAGAON, ASSAM
(WORKING AS LDA IN SALMARA HIGH SCHOOL, NAGAON, ASSAM)

2: SMTI. PUNYA PRAVA DEVI
DAUGHTER OF SRI SISHURAM NATH
RESIDENT OF VILLAGE BORBHAGIA
P.O. CHARAIBAHI
PS- MIKIRBHETA IN THE DISTRICT MORIGAON
ASSAM (WORKING AS LDA AT CHARABAHI HIGHER SECONDARY
SCHOOL
MORIGAON
ASSAM

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,
DEPARTMENT OF SCHOOL EDUCATION, DISPUR, GUWAHATI- 781006

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

3:THE INSPECTOR OF SCHOOLS
NAGAON
ASSAM

4:THE INSPECTOR OF SCHOOLS
MORIGAON
ASSAM

5:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-6

6:THE HEADMASTER
SALMARA HIGH SCHOOL
NAGAON
ASSAM

7:THE PRINCIPAL CHARABAHI H.S. SCHOOL
MORIGAON
ASSA

Advocate for the Petitioner : MRS. K DEVI, MR. T SARMA,MS. M BORDOLOI,MR. S.
CHAMLAGAIN,MS S A KHALIFA

Advocate for the Respondent : SC, SEC. EDU., B K SINGHA (R-6),MR. N SHARMA (R-6),MR. N
SHARMA (R-7),B K SINGHA (R-7),SC, FINANCE

Linked Case : WP(C)/5051/2024

JITEN GOHAIN
S/O LATE MOKHESWAR GOHAIN
RESIDENT OF VILLAGE BOGINADI MAJGAON
PO BOGINADI
DIST LAKHIMPUR
ASSAM WORKING AS GRADE IV EMPLOYEE IN KADAM H.S SCHOOL

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM
DEPARTMENT OF SCHOOL EDUCATION (SECONDARY)
DISPUR
GUWAHATI - 781006.

2:THE UNDER SECRETARY TO THE GOVT. OF ASSAM
EDUCATION SECONDARY DEPARTMENT
DISPUR
GUWAHATI-6.

3:THE DIRECTOR OF SECONDARY EDUCATION
KAHILIPARA
GUWAHATI ASSAM

4:THE INSPECTOR OF SCHOOLS

LAKHIMPUR ASSAM

5:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR GUWAHATI 06

Advocate for : MRS. K DEVI
Advocate for : SC
FINANCE appearing for THE STATE OF ASSAM AND 4 ORS

Linked Case : WP(C)/5039/2024

ANIL CH GAYAN AND 3 ORS
S/O- ADAN GAYAN

R/O VILLAGE - HILOIPARA

P.O.- KACHARIPATHAR

DISTRICT - DHEMAJI
ASSAM.
(WORKING AS GRADE-IV EMPLOYEE IN
BATGHARIA H.S. SCHOOL)

2: DWEIPEN BARUA
S/O- LATE MALIRAM BARUA
R/O VILLAGE - BONGALGAON
P.O.- DERGAON
DISTRICT - GOLAGHAT
ASSAM.
(WORKING AS GRADE-IV EMPLOYEE IN
DERGAON GIRLS H.S. SCHOOL)

3: HABIBUR RAHMAN
S/O-LATE SAJAT ALL
R/O VILLAGE - AHAM GAON
P.O.- TUKTUKI
DISTRICT - NAGAON
ASSAM.
(WORKING AS GRADE-IV EMPLOYEE IN

BATABARI UC DEKA JUM BIDYALAYA)

4: LABANYA GOGOI
W/O- JITUL CHETIA
R/O VILLAGE - GELIKI CHARIALI
P.O.- GELEKI
DISTRICT - SIVSAGAR
ASSAM.
(WORKING AS GRADE-IV EMPLOYEE IN
CHAKIMUKH HIGHER
SECONDARY
SCHOOL)
VERSUS

THE STATE OF ASSAM AND 7 ORS
REPRESENTED
BY
THE SECRETARY
TO THE
GOVERNMENT
OF
ASSAM

DEPARTMENT OF SCHOOL EDUCATION
(SECONDARY)
DISPUR
GUWAHATI -
781006.

2:THE UNDER SECRETARY TO THE GOVT. OF ASSAM
EDUCATION SECONDARY
DEPARTMENT
DISPUR
GUWAHATI-6.

3:THE DIRECTOR OF SECONDARY EDUCATION
KAHILIPARA
GUWAHATI ASSAM

4:THE INSPECTOR OF SCHOOLS

DHEMAJI
ASSAM

5:THE INSPECTOR OF SCHOOLS

GOLAGHAT
ASSAM

6:THE INSPECTOR OF SCHOOLS

NAGAON ASSAM

7:THE INSPECTOR OF SCHOOLS

SIVASAGAR ASSAM

8:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR GUWAHATI 06

Advocate for : MRS. K DEVI

Advocate for : SC

FINANCE appearing for THE STATE OF ASSAM AND 7 ORS

BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE

ORDER

Date : 20.03.2026

Heard Mr. A. Das, learned counsel for the petitioner in WP(C) 4114/2024 and Ms. K. Devi, learned counsel for the petitioner in WP(C) 5039/2024 and WP(C) 5051/2024.

After perusal of the impugned order dated 01.06.2024 passed by the Secretary to the Govt. of Assam, Department of School Education, it is not clear as to whether the post in which, the petitioners were appointed as Grade-III and Grade-IV employees, in various schools, are sanctioned posts as required to be determined by the order of this Court.

In view of the above, Ms. R. Barua, learned Standing Counsel, Secondary Education Department to obtain instruction as to whether the post in which the petitioners were appointed are sanctioned post irrespective of whether the appointment were made *de hors* the Rules.

List the matter on 27.04.2026.

JUDGE

Comparing Assistant