

GAHC010210112019



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

Case No. : WP(C) 6710/2019

1: MOHAN PATOWARY AND 91 ORS.
S/O- SRI PRAHLAD PATOWARY
RESIDENT OF NIZ NAMATI VILLAGE
PIN- 781355
DISTRICT- NALBARI, ASSAM

2: ABHIJIT RANJAN BHATTACHARYA
S/O- BHABENDRA NATH BHATTACHARYA
RESIDENT OF MOHKHALI
VILLAGE
BELSOR
DISTRICT- NALBARI
ASSAM
PIN- 781303

3: RUBUL TALUKDAR
S/O- BRAJAMOHAN TALUKDAR
RESIDENT OF NIZ NAMATI VILLAGE
PIN- 781355
DISTRICT- NALBARI
ASSAM

4: SUKANYA BHARADWAJ
D/O- ANIL KUMAR BARUA
RESIDENT OF ARUNDHATI APARTMENT
F4 A1
NEW GUWAHATI
PIN-781020
DISTRICT- KAMRUP(M)
ASSAM

5: BIKASHJYOTI DEKA
S/O- KARUNA KANTA DEKA
RESIDENT OF DANGUAPARA

BANEKUCHI
PIN-781340
DISTRICT- NALBARI
ASSAM

6: SUKANYA DAS
D/O- MRINMOY DAS
RESIDENT OF H/N 5

BYE LANE-4
LAKHIMI PATH

BELTOLA TINIALI
PIN- 781028
DISTRICT- KAMRUP(M)
ASSAM

7: ALPANA PATHAK
D/O- HARICHARAN PATHAK
RESIDENT OF H/N-12
MILAN NAGAR
LALMATI
GUWAHATI.
DISTRICT- KAMRUP (M)
ASSAM

PIN- 781029

8: ATIKUR RAHMAN
S/O- MASRAF ALI
RESIDENT OF KUNDAR GAON
P.O- DAKSHIN GAON
DISTRICT- NALBARI
ASSAM
PIN- 781350

9: PRANAB LAHKAR
S/O- LT. AMULYA LAHKAR
RESIDENT OF PURNADAICHAPARA
P.O- LAHKARPARA
PIN- 781350
DISTRICT- NALBARI
ASSAM

10: MAZIBAR RAHMAN
S/O- LT. NASIR ALI
RESIDENT OF KUNDAR GAON
P.O- DAKSHIN GAON

DISTRICT- NALBARI
ASSAM
PIN- 781350

11: SHIVARAJ GIRI
S/O- HARINARAYAN GIRI
RESIDENT OF NO. 1 PAHARPUR
P.O- PAHARPUR
DISTRICT- BAKSA
ASSAM
PIN- 781360

12: DHANADA PATHAK
D/O-LATE HARICHARAN PATHAK
RESIDENT OF H.N-12
MILAN NAGAR
LALMATI
BHETAPARA ROAD
GUWAHATI
P.O- BASISTHA
DISTRICT- KAMRUP(M)
ASSAM
PIN- 781029

13: LAKHI DAS
D/O DAYAL DAS
RESIDENT OF VILLAGE SUALKUCHI
P.O. SUALKUCHI
PIN-781103
DISTRICT- KAMRUP (R)
ASSAM

14: ASHOK PATHAK
S/O- LT. TAPAN CH. PATHAK
RESIDENT OF RAILWAY COLONY 117 (D)
BAMUNIMAIDAN
GUWAHATI
DISTRICT- KAMRUP(M)
ASSAM PIN-781021

15: NIRMALI DEKA
D/O- PRASEN DEKA
RESIDENT OF NO.3 COLONY

PANDU
GUWAHATI

PIN- 781012

DISTRICT- KAMRUP(M)
ASSAM

16: MERINA BEGUM
D/O- MD. FAIZ ALI
RESIDENT OF 1 NO. JALAH
CHANGSARI

DISTRICT- KAMRUP(R)
ASSAM
PIN- 781101

17: MAYURI GOGOI
W/O- SURAJYOTI HAZARIKA
RESIDENT OF D-4
JAGAT ENCLAVE
KAHILIPARA

BHAGADUTTAPUR ROAD
GUWAHATI
PIN- 781019
DISTRICT-KAMRUP (M)
ASSAM

18: NAMRATA PRIYAM KALITA
D/O- DIBAKAR KALITA
RESIDENT OF DANGUAPARA BANEKUCHI
NALBARI
PIN- 781340
DISTRICT-NALBARI
ASSAM

19: NITUL DAS
S/O- ISWAR DAS
RESIDENT OF PUB KHAGRABARI

P.O- JALAHGHAT
PIN- 781327
DISTRICT-BAKSA
ASSAM

20: BIJUMONI ROY
S/O- BASANTA KUMAR ROY
RESIDENT OF BANIAKUCHI

P.O- SIMLA
PIN- 781330
DISTRICT-BAKSA

ASSAM

21: BHASKAR DEKA
S/O- ANNA RAM DEKA
RESIDENT OF BARSIMLA VILLAGE
P.O- GOLIBANDHA
PIN- 781375
DISTRICT- BARPETA
ASSAM

22: DIBAJYOTI SARMA
S/O- HARENDRA SARMA
RESIDENT OF SANDHELI
PIN- 781353
DISTRICT- NALBARI
ASSAM

23: PAKHILA KUMAR
D/O- LT. HARENDRA NATH KUMAR
RESIDENT OF AGDALA VILLAGE

P.O- BAIHATA CHARIALI
PIN- 781381
DISTRICT- KAMRUP(R)
ASSAM

24: BHABANI RAJBONGSHI
D/O- LT. RATNESWAR RAJBONGSHI
RESIDENT OF NANARA VILLAGE
BAIHATA CHARIALI
P.O- KARARA
PIN- 781381
DISTRICT- KAMRUP(R)
ASSAM

25: SABITA RANI DEKA
D/O- HARA DUTTA DEKA
RESIDENT OF 2 NO. SARIKOT VILLAGE
KAMALPUR
PIN- 781380
DISTRICT- KAMRUP(R)
ASSAM

26: ANITA DEVI
D/O- PRAFULLA CH. SARMA
RESIDENT OF NORTH GUWAHATI
MADHYAM KHANDA
PIN- 781030

DISTRICT- KAMRUP(M)
ASSAM

27: PRANJALI DEKA
D/O- LT. BHABEN DEKA
RESIDENT OF VILLAGE- SALMARA
P.O- BEZERA
PIN- 781121
DISTRICT- KAMRUP(R)
ASSAM

28: NAMITA RAJBONGSHI
D/O- TARUN DEKA
RESIDENT OF CHANDANPUR PUB SALBARI
NOONMATI
GUWAHATI
PIN- 781020
DISTRICT- KAMRUP(M)
ASSAM

29: ANJANA DAS
D/O- DANDI RAM DAS
RESIDENT OF MURARA VILLAGE
MILANPUR
PIN- 781354
P.O. RANGIA
DIST-KAMRUP(R)

30: HRISHIKESH KOUSHIK
S/O- AKSHYA SARMA
RESIDENT OF MADHAPUR VILLAGE
P.O- ARIKUCHI
PIN- 781339
DISTRICT- NALBARI
ASSAM

31: JAYASHREE DEKA
D/O- KARUNA KANTA DEKA
RESIDENT OF DANGUAPARA
BANEKUCHI
PIN-781340
DISTRICT- NALBARI
ASSAM

32: ILA KAKATI
D/O- MAHIN CH. KAKATI
SANTIPUR
P.O-. NIZ SANTIPUR

DIST-BAKSA
PIN- 781349

33: PABITRA RAJKHOWA
S/O- AKON RAJKHOWA
RESIDENT OF KURUABAHI SATRA
PIN- 785615
DISTRICT- GOLAGHAT
ASSAM

34: JITJYOTI DEKA
S/O- NIRANJAN DEKA
RESIDENT OF PUB KHAGRABARI
P.O- JALAHGHAT

PIN- 781327
DISTRICT- BAKSA
ASSAM

35: PRATUL SARMA
S/O- BHABENDRA NATH SARMA
RESIDENT OF MOHKHALI
BELSOR
PIN-781334
DIST.NALBARI

36: JUTIPRAN PATHAK
S/O- LT. PRANESWAR PATHAK
RESIDENT OF NARIKALBARI
P.O. ZOO ROAD
DIST. KAMRUP (M)
PIN- 781024

37: AMAL BHAGAWATI
S/O-LT.BANGSHI BADAN BHAGAWATI
RESIDENT OF GANESHPARA
FATASIL AMBARI
DIST. KAMRUP(M)
PIN- 781025

38: DILIP KUMAR ADHIKARI
S/O- LT. PUSPA KANTA ADHIKARI
RESIDENT OF KHELUA
P.O. HELACHA
DIST.NALBARI
PIN- 781338

39: NAREN DADHARA

S/O- MALORAM DADHARA
RESIDENT OF LATABOWA GAON
P.O- BORANGATOLI
PIN- 782141
DISTRICT- NAGAON
ASSAM

40: BIJOY THAKUR
S/O- TEZNARAYAN THAKUR
RESIDENT OF SALONAH VILLAGE
PIN- 782139
DISTRICT- NAGAON
ASSAM

41: TRINANI BHARALI
D/O- MRIDUL BHARALI
RESIDENT OF SAMAGURI
PIN- 782140
DISTRICT- NAGAON
ASSAM

42: SHIBANI DEY
D/O SAMBHU DEY
RESIDENT OF CHAPARMUKH
PIN- 782425
DISTRICT- NAGAON
ASSAM
AGED ABOUT 32 YEARS

43: JIBONJYOTI KALITA
D/O- LATE HARAKANTA KALITA
RESIDENT OF MURHANIGAON
P.O- CHALCHALI
PIN- 782141
DISTRICT- NAGAON
ASSAM

44: JIBAN SAIKIA
S/O LT. DHANESWAR SAIKIA
RESIDENT OF BAROKURIA GAON
P.O- BORPANI GAON
PIN- 782141
DISTRICT- NAGAON
ASSAM

45: DHIRA KALITA TAMULY
D/O- TARUN CHANDRA KALITA
RESIDENT OF CHOUDHURYKHAT

PIN- 781141
DISTRICT- KAMRUP (R)
ASSAM

46: KAN KALITA
S/O- RAMA KALITA
RESIDENT OF 1. NO. BALASHIDHI
P.O- CHHAYGAON
PIN- 781124
DISTRICT- KAMRUP (R)
ASSAM

47: JITUMANI KALITA
D/O- LT. CHANDRADHAR KALITA
RESIDENT OF ZIAKUR NO. 2
P.O- ZIAKUR
DISTRICT- KAMRUP(R)
PIN- 781134

48: RUNUMI KALITA DEKA
D/O- LT. ADYA KALITA
RESIDENT OF LAKHRA

P.O- 781040
DISTRICT- KAMRUP(M)

49: IKAN CHOUDHURY
D/O- LT. LOHIT CHOUDHURY
RESIDENT OF DAHALI

P.O- BATARHAT
P.S- PALASHBARI
PIN- 781122
DISTRICT- KAMRUP(R)

50: HARIPRABHA KALITA
D/O- LT. MAHESH KALITA
RESIDENT OF BALAGAON

DISTRICT OF KAMRUP (R)

51: CHAYA KAKATI
D/O BHUPEN KALITA
RESIDENT OF CHAYGAON
DISTRICT KAMRUP(R)
PIN- 781124

52: RAMJOY MANDAL

S/O- HARIMOHAN MANDAL
RESIDENT OF BARALIMARA
P.S- BOKO
DISTRICT KAMRUP (R)
PIN- 781136

53: JITUMANI KALITA
S/O- PARESH KALITA
RESIDENT OF DOKOHA
P.O.ARNGAMOW
DIST. NALBARI

54: SHAH NABAB UDDIN AHMED
S/O- LT. SHARIF UDDIN AHMED
RESIDENT OF SANTIPUR
DIST. NALBARI
PIN- 781334

55: NILAMANI KARJEE
S/O- KHAGENDRA NATH KARJEE
RESIDENT OF SARUFULACHAKI
P.O. GORESWAR
DIST-BAKSA
PIN- 781366

56: DHARAMDEO PRASAD
S/O- LT. JAIGOVIND PRASAD
RESIDENT OF KHANAPARA
DIST.KAMRUP(M)
PIN- 781022

57: BHARATI DAS
D/O- LT. RAMESH DAS
RESIDENT OF AMRANGA
DIST.KAMRUP (R)
PIN- 781125

58: BISWADEEP KAR PURAKAYASTHA
S/O- LT. BIDYUT KAR PURKAYASTHA
RESIDENT OF SSSARANI

WARD NO. 9
LALA
DIST.CACHAR
PIN- 788163

59: PROVA MALAKAR
D/O- HOROTUSH MALAKAR

RESIDENT OF KANAKPUR
ROAD PART 2
SILCHAR
DIST.CACHAR
PIN- 788005

60: SHADEQUE ALI AHMED
S/O- LT. KAIMUDDIN AHMED
RESIDENT OF 2 NO. LARKUCHI
DIST.NALBARI
PIN- 781138

61: BISHWANATH SARMAH
S/O- SURJYA PD. SARMAH
RESIDENT OF NO. 16
EKARANI GAON
P.O. CHUNGAJAN
DIST.GOLAGHAT
PIN- 785601

62: BAHARUZZAMAN CHOUDHURY
S/O- SAFIQR RAHMAN CHOUDHURY
RESIDENT OF KALI NAGAR
P.O. SIAL TEK
P.S.KATIGARH
DIST.CACHAR
PIN- 788802

63: DUSMANTA BORAH
S/O- GOBIN BORAH
RESIDENT OF MAJULI
P.O. NATUN CHAMAGURI SATRA

DIST.MAJULI
PIN- 785110

64: ANAMIKA BARMAN
D/O- KHAGEN BARMAN
RESIDENT OF DIGHELI
P.O. BAR DIGHELI
DIST.NALBARI
PIN- 781334

65: SANDHYA BAISHYA
D/O- BASANTA BAISHYA
RESIDENT OF BALITARA
P.O. BALITARA
DIST.NALBARI

PIN- 781349

66: NIRMALI BHUYAN
D/O- SUREN BHUYAN
RESIDENT OF THAKURDOLONI
P.S. NARAYANPUR
P.O. KAMALPUR
DIST.LAKHIMPUR
PIN- 784164

67: GITUMONI CHOUDHURY
D/O- LT. ROBIN CHOUDHURY
RESIDENT OF NALBARI SATRA
P.O CHOWK BAJAR
DIST.NALBARI
PIN- 781334

68: SANGITA KALITA
D/O- AMULYA KALITA
RESIDENT OF PALASBARI
WARD NO.-8
DIST.KAMRUP (R)
PIN- 781128

69: PARASMITA BORA
D/O- JYOTI PROKASH BORA
RESIDENT OF NAGARBERA
DIST.KAMRUP(R)
PIN- 781127

70: BARNALI GOSWAMI
D/O-LATE UMESH GOSWAMI
RESIDENT OF RAMPUR
P.S. PALASHBARI
DIST.KAMRUP(R)
PIN- 781132

71: LATIKA DAS
D/O- PARESH DAS
RESIDENT OF KENDUKUCHI
P.O. BHATTAPARA
DIST.KAMRUP (M)
PIN- 781017

72: WAHEDUR RAHMAN
S/O- MD. MONIR UDDIN
RESIDENT OF 2 NO.
LARKUCHI

P.O.MUKALMUA
DIST.NALBARI
PIN- 781138

73: BHASKAR ACHARJEE
S/O- LT. ANIL ACHARJEE
RESIDENT OF 2 NO.
DERAPATHAR
P.O.- 3 NO. DERAPATHAR
DIST.NAGAON
PIN- 782446

74: RITAMONI SHARMA
D/O- AJIT KR. SHARMAH
RESIDENT OF NORTH GUWAHATI
MADHYAMKHANDA
DIST.KAMRUP(M)
PIN- 781030

75: BANJIT DEWRI
S/O- KHARGESWAR DEWRI
RESIDENT OF BUDARURTUP
P.O. BARPETA
DIST.BARPETA
PIN- 781301

76: HEMANTA KUMAR SARMA
S/O- NARESWAR SHARMA
RESIDENT OF H.NO.97
VILL.RUPNAGAR

P.O.SONAPUR
DIST.KAMRUP(M)
PIN- 782402

77: SALEH AHMED BARBHUIYA
S/O- SIRAJUL HOQUE BARBHUIYA
RESIDENT OF HARINAGAR PART-II
P.O. RAJARTILLA
P.S. KATIGORAH
DIST.CACHAR
PIN- 788805

78: DEVAJIT BEZ
S/O- KIRAN BEZ
RESIDENT OF BEZ GAON
P.O. DIKHARI KINAR
P.S. KHOWANG

DIST.DIBRUGARH
PIN- 785675

79: PRANAB KUMAR BHUYAN
S/O- HARIPAD BHUYAN
RESIDENT OF NAMSHALA
P.O. SARTHEBARI
DIST.BARPETA
PIN-781307

80: AYNUL HOQUE LASKAR
S/O- SIRAJ UDDIN LASKAR
RESIDENT OF KATIGORAH-III
P.O. KATIGORAH
DIST.CACHAR

81: DIPIKA SAIKIA
D/O- HEMA KT. SAIKIA
RESIDENT OF NO. 2 MOTIA
P.O. BORBALI
DIST.LAKHIMPUR
PIN- 784163

82: LEENA KAKATI
D/O- SADANANDA KAKATI
SP RESIDENCE BONGAIGAON
QTR NO. 3
KUKURMARI
P.O. NORTH BONGAIGAON
DIST.BONGAIGAON
PIN- 783380

83: MANORANJAN DAS
S/O LATE BINANDA DAS
RESIDENT OF VILL.HAINADI
P.O.-
DIHINA
P.S.HAJO
DIST.KAMRUP(R)
PIN-781382

84: BISHAKHA SARKAR
D/O BHAGYADHAR SARKAR
RESIDENT OF
VILL.GARAJAN
P.O. _UTTAR
GARAJAN
P.S.RUPAHIHAT

DIST.NAGAON
PIN-782128

85: UTTAM KUMAR MANDAL
S/O UPENDRA CH.MANDAL
RESIDENT OF VILL. AND P.O. PUB
AMRA KANDA
P.S.RUPAHIHAT

DIST.NAGAON
PIN-782125

86: AMRIT KUMAR MANDAL
S/O BISWANATH MANDAL

RESIDENT OF VILL.AND P.O. PUB
AMRA KANDA
P.S.RUPAHIHAT

DIST.NAGAON
PIN-782125

87: BRAJENDRA ROY
S/O LAKHINDAR ROY
RESIDENT OF VILL AND P.O. PUB
AMARA KANDA
P.S.RUPAHIHAT

DIST.NAGAON
PIN-782125

88: DIPAK KUMAR MANDAL
S/O RATAN KUMAR MANDAL
RESIDENT OF VILL.KANCHANPUR

P.O.SAIDARIA
P.S.RUPOHIHAT
DIST.NAGAON
PIN-782125

89: JURI SARMA
D/O ANANTA SARMA
RESIDENT OF VILL-ALEGJARI
P.O.AND P.S.
CHAYGAON
DIST.KAMRUP(R)

PIN-781124

AGED ABOUT 35 YEARS

90: LAKHI DAS
D/O KANAK DAS
RESIDENT OF VILL.KENDUKUCHI

P.O.BHATTAPARA
P.S.AZARA

DIST.KAMRUP(M)
PIN-781017

91: MEGHALI NATH
D/O SURESH CH.NATH
RESIDENT OF VILL.LANKESWAR

BYE LANE 1
H.N. 23

DIST.KAMRUP(M)
GUWAHATI

PIN-781014

92: SARIFUL HASAN
S/O SHAFIQUE UDDIN AHMED
RESIDENT OF VILL.AND P.O. DAMALCHOSE
P.S.BOKO

DIST.KAMRUP(R)
PIN-78113

VERSUS

1:UNION OF INDIA AND 5 ORS.
COMMISSIONER AND SECRETARY TO THE GOVT.OF INDIA, HUMAN
RESOURCE AND DEVELOPMENT OF DEPARTMENT OF SCHOOL
EDUCATION AND LITERACY .
NEW DELHI-1

2:THE STATE OF ASSAM
REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT.
OF ASSAM
EDUCATION DEPARTMENT
DISPUR
GUWAHATI- 781006.

3:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM ELEMENTARY EDUCATION
DEPARTMENT.DISPUR
GUWAHATI-781006.

4:DIRECTOR OF ELEMENTARY EDUCATION
KAHILIPARA
GUWAHATI
PIN 781019

DISTRICT- KAMRUP(M)
ASSAM

5:MISSION DIRECTOR
SARBA SIKSHA ABHIYAN MISSION
AXOM (NOW SAMAGRA SIKSHA MISSION
AXOM). KAHILIPARA
GUWAHATI
PIN- 781019

DISTRICT- KAMRUP(M)
ASSAM

6:EXECUTIVE DIRECTOR
SARBA SIKSHA ABHIYAN MISSION
AXOM(NOW SAMAGRA SIKSHA MISSION
AXOM). KAHILIPARA
GUWAHATI
PIN- 781019

DISTRICT- KAMRUP(M)
ASSA

Advocate for the Petitioner : MR. R GOSWAMI

Advocate for the Respondent : SC, ELEM. EDU

BEFORE
HONOURABLE MR. JUSTICE N. KOTISWAR SINGH

ORDER

Date : 09-09-2019

Heard Mr. R. Goswami, learned counsel for the petitioners.

Issue notice, returnable within 3(three) weeks.

Mr. K. Gogoi, learned counsel accepts notice on behalf of the respondent No.1.

Mr. N. Sarma, learned Standing Counsel, Elementary Education Department accepts notice on behalf of the respondent Nos.2 to 4.

Mr. S.P. Bhattacharjee, learned Standing Counsel, SSA accepts notice on behalf of the respondent Nos.5 and 6.

Interim prayer will be considered on the next date.

Till then, the authority may earmark 92 posts of Assistant Teacher

List the matter again on 21.10.2019 along with WP(C) No.1879/2019.

JUDGE

Comparing Assistant