

GAHC010211902015



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

Case No. : Cont.Cas(C) 401/2015

1:SMTI GITA RANI KALITA
W/O SRI SURESH CHANDRA DEKA, R/O MOMAT NAGAR, JAPARKUCHI,
P.O. AND DIST- NALBARI, ASSAM

VERSUS

1:PREETAM SAIKIA and 3 ORS
COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM, EDUCATION ELE
DEPTT., DISPUR, GHY-6

2:UDHAB DAS
DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GHY-19
DIST- KAMRUP METRO
ASSAM

3:ANJALI DUTTA
DISTRICT ELEMENTARY EDUCATION OFFICER
NALBARI
P.O. NALBARI
ASSAM
PIN-781335

4:S.K. SOM
THE TREASURY OFFICER
NALBARI
P.O. NALBARI
ASSAM
PIN-78133

Advocate for the Petitioner : MR.R C SAIKIA

Advocate for the Respondent : MRG K SINGHR-3

**BEFORE
HONOURABLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA**

ORDER

Date : 21-03-2018

By the order of 06.01.2015 in WP(C) 2738/2010, a direction was issued to pay the current salary of the petitioner in the scale of Rs. 3130/- - 6600/- with a further direction to pay all the arrear salary as revised from time to time. It is stated that a writ appeal was preferred which has been dismissed in the meantime.

Mr. N. Sarma, learned standing counsel states that for compliance of the direction of this Court, the Commissioner & Secretary in the Elementary Education Department had issued an order dated 12.06.2017 requiring the Director of Elementary Education, Assam to take necessary steps for release of current salary as well as arrear salary. The same by itself in view of this Court is not a compliance of this order, although it may be a step by the Commissioner towards its compliance. It is also stated that the Director by a communication dated 20.07.2017 had requested the government for creation of supernumerary post for the purpose of payment of salary to the petitioner. From that stage nothing further has been done.

Prima facie it appears that the authorities are not taking the order of this Court in its proper earnest. On the next date fixed, the respondent shall produce what further has been done towards compliance of the order or else causes be shown as to why contempt proceeding should not be initiated.

List this matter on 23.05.2018.

JUDGE

Comparing Assistant