

GAHC010214642024



undefined

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

Case No. : WP(C)/5614/2024

MD. JOMIL AHMED
S/O LATE ABDUL MAZID
R/O VILL- SHALMARABORI
P.O. BECHAMARI,P.S. DHING
DIST. NAGAON, ASSAM
PIN-782123

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, SECONDARY EDUCATION DEPARTMENT, DISPUR, ASSAM,
PIN-781006

2:THE DIRECTOR OF SECONDARY EDUCATION

ASSAM
KAHILIPARA
GUWAHATI-781019

3:SECRETARY TO THE GOVT. OF ASSAM

DEPARTMENT OF SCHOOL EDUCATION
DISPUR
GUWAHATI-781019

4:THE INSPECTOR OF SCHOOLS

MDC
MORIGAON
ASSAM

PIN-78210

Advocate for the Petitioner : MR. P J SAIKIA, SR. ADV, MS M NIROLA, MR J ISLAM

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

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 13.10.2025

Heard Mr. P. Bordoloi, learned counsel for the petitioner. Also heard Ms. H. Terangpi, learned standing counsel for the respondents in the Secondary Education Department.

Pursuant to the order dated 16.09.2025, Ms. Terangpi, learned standing counsel for the respondents in the Secondary Education Department has produced one letter dated 09.10.2025, of the Deputy Secretary to the Government of Assam, Department of School Education, wherein it is stated that a joint sitting of Finance Department and Department of School Education was held on 25.09.2025, to examine the case of the petitioner and now the Department is examining the pendency of the parallel writ petitions opposing the provincialization of service of the petitioner and other linked orders of this Court to avoid any conflict while disposing of the matter in compliance of the order of this Court.

However, Mr. Bordoloi, learned counsel for the petitioner has pointed out to an order passed by this Court, dated 18.07.2022, in WP(C) No. 4477/2022, and the said order is annexed as Annexure-I, page 59 of the petition, and that a perusal of the said order dated 18.07.2022, indicates that WP(C) No. 4477/2022, has already been disposed of and as such, there is no chance of any

conflicting decision and under such circumstances, Mr. Bordoloi submits that there is no bar in provincialisation of the service of the petitioner.

In view of the above, it is provided that Ms. Terangpi, learned standing counsel for the respondents in the Secondary Education Department shall obtain further instruction in respect of the progress of the matter, and apprise this Court on next date.

List the matter on 23.10.2025.

The letter dated 09.10.2025, produced by Ms. Terangpi, shall be marked as 'Y' and tagged with the record.

Registry shall reflect the name of Ms. Terangpi, in the cause list.

JUDGE

Comparing Assistant