

GAHC010225272021



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

Case No. : WP(C)/7368/2021

SADULLAH DEWAN AND 3 ORS.
S/O LATE ABDUL WADUD DEWAN, VILL- KOKILA MAR PARA, P.O.-
KOKILA, DIST- BONGAIGAON, ASSAM, PIN-783392

2: ATOWAR RAHMAN SIKDAR
S/O LATE ABDUR RASID SIKDAR
VILL-ROWMARI
P.O.-MAJGAON
DIST-BAJALI
ASSAM
PIN-781313

3: MD. SAIDUL ISLAM
S/O LATE MD. MESER AKAND
VILL AND P.O.-BANKABHANGA
DIST- BARPETA
ASSAM
PIN-781319

4: ZAHANGIR ALOM
S/O LATE NAZRUL ISLAM
VILL-BIDYAPARA
ABHAYAPURI
DIST-BONGAIGAON
ASSAM
PIN-78338

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, HIGHER EDUCATION DEPARTMENT, DISPUR, GUWAHATI-6

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM

FINANCE DEPARTMENT
DISPUR
GUWAHATI-6

3:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
HIGHER EDUCATION DEPARTMENT
DISPUR
GUWAHATI-6

4:THE DIRECTOR OF HIGHER EDUCATION
KAHILIPARA
ASSAM
GUWAHATI-19

5:THE DEPUTY DIRECTOR OF HIGHER EDUCATION
KAHILIPARA
ASSAM
GUWAHATI-19

6:THE GOVERNING BODY OF RAJIV GANDHI MEMORIAL COLLEGE
LENGTISINGA
BONGAIGAON
REPRESENTED BY ITS CHAIRMAN
P.O.-LENGTISINGA
DIST- BONGAIGAON
ASSAM
PIN-783380

7:THE PRINCIPAL
RAJIV GANDHI MEMORIAL COLLEGE
LENGTISINGA
BONGAIGAON
P.O.-LENGTISINGA
DIST-BONGAIGAON
ASSAM
PIN-78338

Advocate for the Petitioner : MR. U K NAIR

Advocate for the Respondent : SC, HIGHER EDU

Linked Case : I.A.(Civil)/2767/2023

ON THE DEATH OF ATOWAR RAHMAN SIKDAR HIS LEGAL HEIR RUMIYA
KHATUN
W/O LATE ATOWAR RAHMAN SIKDAR
VILL-ROWMARI
P.O.-MAJGAON
DIST-BAJALI
ASSAM
PIN-781313

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM
HIGHER EDUCATION DEPARTMENT
DISPUR
GUWAHATI-6

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

3:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
HIGHER EDUCATION DEPARTMENT
DISPUR
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4:THE DIRECTOR OF HIGHER EDUCATION
KAHILIPARA
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GUWAHATI-19

5:THE DEPUTY DIRECTOR OF HIGHER EDUCATION
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REPRESENTED BY ITS CHAIRMAN
P.O.-LENGTISINGA
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PIN-783380

7:THE PRINCIPAL
RAJIV GANDHI MEMORIAL COLLEGE
LENGTISINGA
BONGAIGAON
P.O.-LENGTISINGA

DIST-BONGAIGAON
ASSAM
PIN-783380

Advocate for : MS. A HUSSAIN
Advocate for : SC
HIGHER EDU appearing for THE STATE OF ASSAM AND 6 ORS.

B E F O R E
HON'BLE MR. JUSTICE NELSON SAILO

11.10.2023

Heard Mr. R. Islam, learned counsel for the applicants/petitioners who submits that by filing this application, the applicant seeks impleadment of Smti Rumiya Khatun, who is the wife of the writ petitioner No. 2, since, the writ petitioner No. 2 expired on 18.07.2023. He submits that the cause of action survives in favour of the writ petitioner No. 2 and therefore, impleadment of the wife of late writ petitioner no. 2 is necessary.

Issue notice to the respondents, returnable by 3(three) weeks.

Mr. S. Bhuyan, learned Standing Counsel, Higher Education Department appears for the respondent Nos. 1, 3, 4 and 5, while Mr. M.S. Mondal, learned counsel appears for the respondent Nos. 6 and 7.

The applicant/petitioner to serve notice to the respondent no. 2 through Mr. A. Chaliha, learned Standing Counsel for the Finance Department.

List this matter again after 3(three) weeks.

In the meantime, the applicant to serve extra copies to the learned counsel appearing for the opposite party.

JUDGE

Comparing Assistant