

GAHC010236652023



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

**Case No. : WP(C)/6283/2023**

KRISHNA DEY BHOWMIK  
W/O- SHRI AJOY BHOWMIK, R/O- D/1/4 ECL AREA COMPLEX, ARANSOL,  
DIST PASCHIM BARDHAMAN, WEST BENGAL, PIN- 713359.

VERSUS

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

2:THE SECRETARY TO THE GOVT. OF ASSAM  
SECONDARY EDUCATION DEPARTMENT  
DISPUR  
GHY-781006.

3:THE DIRECTOR OF SECONDARY EDUCATION  
ASSAM  
KAHILIPARA  
GHY-781019.

4:THE DEPUTY DIRECTOR  
  
SECONDARY EDUCATION  
ASSAM  
KAHILIPARA  
GHY-781019.

5:THE INSPECTOR OF SCHOOLS  
TINSUKIA DISTRICT CIRCLE  
SUBHASINI ROAD  
SECTOR-1

CHALIHA NAGAR  
DIST. TINSUKIA  
ASSAM  
PIN- 786125

**Advocate for the Petitioner** : MR. U K NAIR, MR A CHAKRABORTY,MS D MAHANTA

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

**BEFORE**  
**HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

**ORDER**

**06-06-2025**

Heard Shri A. Chakraborty, learned counsel for the petitioner.

On the last occasion i.e. 04.06.2025, the following order was passed:-

*“Shri A Chakraborty, learned counsel for the petitioner submits that the subject matter involves squarely covered by the earlier decisions of this Court which in turn had relied upon the judgment of the Hon’ble Supreme Court in the case of Dinesh Chandra Sangma Vs. State of Assam & Ors., reported in (1977) 4 SCC 441. Ms. P Das, learned Standing Counsel, Secondary Education Department, Assam submits that parawise comments have been received. In view of the above, let such parawise comments be placed before this Court for perusal and the matter be listed for consideration on 06.06.2025.”*

Ms. P. Das, learned Standing Counsel, Secondary Education has produced the parawise comments.

A perusal of the same would however reflect that the issue of voluntary retirement is not the subject matter of the said comments.

On the other hand, Shri Chakraborty, the learned counsel has referred to a communication dated 31.05.2016 stated to have been made by the Head Master of the Ledo Bazar, to the Inspector of Schools, regarding the voluntary retirement prayer of the petitioner.

In view of the above and as prayed for by the learned Standing Counsel,

matter is adjourned by 2 (two) weeks to enable her to obtain specific instructions on the aspect of receipt or otherwise the application for voluntary retirement which has been stated to be forwarded by the Head Master of the School, as noted above.

List after 2 (two) weeks, i.e. on **25.06.2025**.

**JUDGE**

**Comparing Assistant**