

GAHC010261892025



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

Case No. : WP(C)/6946/2025

SHAMIM AHMED
S/O LATE KARAMAT ALI, R/O VILL. THALGAON, P.O. RATABARI 788735,
DIST. SRIBHUMI, ASSAM.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECY. TO THE GOVT. OF
ASSAM, DEPTT. OF SCHOOL EDUCATION, DISPUR, P.O. GUWAHATI 781006

2:THE DIRECTOR OF ELEMENTARY EDUCATION

GOVT. OF ASSAM
KAHILIPARA
GUWAHATI 19

3:THE UNION OF INDIA

REPRESENTED BY THE SECY .TO THE MINISTRY OF HUMAN RESOURCE
DEVELOPMENT DEPTT. OF SCHOOL EDUCATION AND LITERACY 122-C
SASTRI BHAWAN
NEW DELHI 01

4:THE NATIONAL COUNCIL FOR TEACHERS EDUCATION

G-7
SECTOR 10
DWARKA
NEW DELHI 110075

5:THE SAMAGRA SIKSHA ASSAM (SSA)
KAHILIPARA

GUWAHATI 1

Advocate for the Petitioner : A B T HAQUE,

Advocate for the Respondent : SC, ELEM. EDU, DY.S.G.I.

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

19.12.2025

Heard Mr. A. B. T. Haque, learned counsel for the petitioner and Mr. P. K. Borah, learned Standing Counsel for the respondents in Elementary Education Department.

In this petition, under Article 226 of the Constitution of India, the petitioner has prayed for issuing direction to the respondent authorities to issue appointment letter to the petitioner as Assistant Teacher in Upper Primary School, pursuant to the Advertisement, dated 26.12.2023.

Mr. Haque, learned counsel for the petitioner submits that pursuant to the advertisement, dated 26.12.2023, the petitioner had applied for the post of Assistant Teacher in Upper Primary School and thereafter, by Notification, dated 17.06.2025, the respondent authorities had asked the applicants, who had submitted online applications with 18 months D.El.Ed from NIOS against the Advertisement, dated 26.12.2023; to attend the 2nd phase of physical documents verification with a list of testimonials/documents and accordingly, the petitioner had appeared in the 2nd phase of physical verification with all the relevant documents.

Thereafter, on 10.09.2025, the respondent authorities had published the 1st Provisional Merit List for the Post of Regular Teachers (Upper Primary) and the name of the petitioner had appeared at serial no. 15 (Unreserved Category), under

Sribhumi District. Thereafter, vide Notice, dated 25.09.2025; the respondent authorities had directed all candidates who have submitted their documents of D.El.Ed. from NIOS, to submit the UDISE Code as well as the name of the working School as on 10.08.2017 and thereafter, the petitioner had submitted his UDISE Code and name of the working School as on 10.08.2017.

Thereafter, vide another Notice, dated 11.10.2025, the Director, Elementary Education, Assam, had instructed the applicants to submit some information and accordingly, the petitioner had submitted the same and thereafter, on 07.11.2025, the respondent authorities had published the Final result of the post of Assistant Teachers of Upper Primary Schools, but the name of the petitioner found no mention in the final result and being aggrieved, the petitioner has approached this Court.

The submission of Mr. Haque, learned counsel for the petitioner needs further verification.

At this stage, Mr. P. K. Borah, Standing Counsel for the respondents in Elementary Education Department is directed to obtain instruction as to whether, any post is lying vacant or not.

List the matter after the ensuing **Winter Vacation**.

JUDGE

Comparing Assistant