

GAHC010264022025



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

Case No. : WP(C)/6893/2025

DEBASISH DEB MAZUMDAR
S/O LATE KAMENDRA DEB MAZUMDAR, RESIDENT OF VILL. CLUB ROAD,
SILCHAR, OPP. TO CENTRAL BANK OF INDIA, P.O. SILCHAR, DIST.
CACHAR, ASSAM.

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM,
DEPARTMENT OF SCHOOL EDUCATION, ASSAM, DISPUR, GHY-06.

2:THE DIRECTOR OF SECONDARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19

3:THE INSPECTOR OF SCHOOLS CDC
CACHAR AT SILCHAR-01
P.O. AND DIST.- CACHAR
ASSA

Advocate for the Petitioner : MR. M KHAN, MS J AKTAR, MR A K DAS

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

BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO

ORDER

Date : 05-05-2026

Although Mr. U Sharma, learned Standing Counsel, Secondary Education Department has submitted that the counter-affidavit has been

filed by the respondent No. 2. But, on a perusal of the same, it is seen that the Director of Secondary Education has given some suggestions in the form of her letter dated 30.12.2024 to the Secretary to the Government of Assam, Department of School Education that despite the amendment of the Assam Secondary Education (Provincialised Schools) Service Rules, 2018 by the Assam Secondary Education (Provincialised Schools) Service (4th amendment) Rules, 2024 which was published in the Assam Gazette on 08.10.2024, it is still not clear as to how promotion has to be effected for a Grade-IV employee to a Grade-III post. The said communication is annexed as Annexure-IV to the affidavit-in-opposition and it is seen that the same has been written way back on 30.12.2024.

On being asked as to what is the respond to the said letter by the Government, Mr. U Sharma, learned Standing Counsel, Secondary Education Department submits that he may be given some time to receive instructions on the issue.

Considering the same, 2 (two) weeks time is granted, as prayed for.

The instructions to be received by Mr. U Sharma, learned Standing Counsel, Secondary Education Department should be in the form of an affidavit.

List the matter again on 04.06.2026.

JUDGE

Comparing Assistant