

GAHC010275782018



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

Case No. : WP(C) 8591/2018

1:RAMESH CHANDRA KALITA
S/O- LT LAKSHIRAM KALITA, PRINCIPAL, DAKSHIN KAMRUP COLLEGE,
MIRZA, P.O. AND PS. MIRZA, KAMRUP, ASSAM, PIN- 781125

VERSUS

1:THE STATE OF ASSAM AND 2 ORS.
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, HIGHER
EDUCATION DEPTT., DISPUR, GHY-6

2:THE COMM. AND SECY. TO THE GOVT. OF ASSAM
HIGHER EDUCATION DEPTT.
DISPUR
GHY-6

3:THE DIRECTOR
HIGHER EDUCATION DEPTT.
GOVT. OF ASSAM
KAHILIPARA
GHY-1

Advocate for the Petitioner : MR. O P BHATI
Advocate for the Respondent : SC, HIGHER EDU

BEFORE
HONOURABLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA

O R D E R

14.12.2018

Heard Mr. OP Bhati, learned counsel for the petitioner and Mr. K. Gogoi, learned Standing Counsel for the Higher Education Department, Government of Assam.

Issue notice of motion returnable in four weeks.

As Mr. K. Gogoi, learned Standing Counsel for Higher Education Department accepts notice on behalf of all the respondents, no formal notice is required to be issued. However, extra copies of the writ petition be furnished to him within three days.

The petitioner, who is the Principal of Dakhim Kamrup College, by this writ petition seeks for a direction that the age of retirement be enhanced from the present age of 60 years to 65 years by relying upon a Cabinet decision of the Government of Assam.

Mr. Gogoi, learned Standing Counsel for Higher Education Department on the other hand objects to the writ petition by stating that this issue was already decided by this Court by the judgment and order dated 04.05.2018 in WP(C) No.1071/2014.

It is however, provided that even if the petitioner is allowed to go on superannuation, same shall be subject to the result of the writ petition.

List the matter after four weeks.

JUDGE

Comparing Assistant