

GAHC010279172018



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

Case No. : WP(C)/8846/2018

BHAKTA RAM BORA AND 5 ORS.
S/O LATE TILBA BORA
R/O NARENGI FOREST GATE NO. 1 MATHGHARIA
GUWAHATI- 781036, DIST. KAMRUP (M), ASSAM

2: SRI PABAN DAS
S/O LATE SARGESHWAR DAS
R/O NIZ BOHORI
BARPETA PIN - 781305.
DIST. BARPETA
ASSAM

3: SRI DILIP TALUKDAR
S/O LATE ATUL TALUKDAR
R/O NIZ BOHORI

BARPETA
PIN - 781305

DIST. BARPETA
ASSAM

4: SRI HARICHARAN PATOWARY
S/O LATE TARANI PATOWARY
R/O BARBILA
BHELLA
BARPETA
DIST. BARPETA
ASSAM

5: SRI MANISH BHATTACHARJEE

S/O SRI HIRANMAY BHATTACHARJEE
R/O WARD NO. 6

LANKA
HOJAI
DIST.HOJAI
ASSAM.

6: SRI PRADIP UPADHAYA
S/O SRI BASUDEB UPADHYAYA
R/O WARD NO. 6

LANKA
HOJAI

DIST. HOJA

VERSUS

THE STATE OF ASSAM AND 10 ORS.
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
HIGHER EDUCATION DEPARTMENT,
DISPUR, GUWAHATI- 781006.

2:THE FINANCE DEPARTMENT

REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM

DISPUR
GUWAHATI-06.

3:THE DIRECTOR OF HIGHER EDUCATION

GOVT. OF ASSAM

KAHILIPARA
GUWAHATI-19.

4:THE HANDIQUE GIRLS COLLEGE

REP. BY THE PRINCIPAL AND SECRETARY GUWAHATI- 781001
DIST. KAMRUP (M)
ASSAM

5:THE GOVERNING BODY

HANDIQUE GIRLS COLLEGE

REP. BY THE PRESIDENT OF GOVERNING BODY HANDIQUE GIRLS
COLLEGE

GUWAHATI - 781001

DIST. KAMRUP (M)
ASSAM

6:THE MADHYA KAMRUP COLLEGE

REP. BY IS PRINCIPAL AND SECRETARY
CHENGA
DIST. BARPETA
ASSAM

7:THE GOVERNING BODY

MADHYA KAMRUP COLLEGE
REP BY THE PRESIDENT OF GOVERNING MADHYA KAMRUP COLLEGE

CHENGA
DIST. BARPETA
ASSAM

8:THE BAOSI BANIKANTA KAKATI COLLEGE

REP. BY ITS PRINCIPAL AND SECRETARY
NAGAON
DIST. BARPETA
ASSAM.

9:THE GOVERNING BODY

THE PRINCIPAL

BAOSI BANIKANTA KAKATI COLLEGE
NAGAON
DIST. BARPETA.

10:THE LANKA MAHAVIDYALAYA

HOJAI

REP. BY THE PRINCIPAL AND SECRETARY
DIST. HOJAI (M)
ASSAM.

11:THE GOVERNING BODY

LANKA MAHAVIDYALAYA
HOJAI

REP. BY THE PRESIDENT OF GOVERNING BODY LANKA MAHAVIDLAYA
HOJAIM
DIST. HOJAI (M)
ASSA

Advocate for the Petitioner : MR. U K NAIR

Advocate for the Respondent : SC, HIGHER EDU

Linked Case : **WP(C)/8813/2018**

TULEN SARMA AND 11 ORS.
S/O LATE KHIROD SARMA
R/O BHABANIPUR
NOONMATI
GUWAHATI- 781020

DIST. KAMRUP (M)
ASSAM.

2: SRI DILIP KUMAR SARMA
S/O LATE BISWAS NATH SARMA
R/O KHARGHULI
UDAYGIRI
GUWAHATI-4

DIST.KAMRUP (M)
ASSAM

3: SR LOHIT CH. DAS
S/O LATE DIPU RAM DAS
R/O DHOLKUCHI
RANGIA - 781354

DIST.KAMRUP (R)
ASSAM

4: SRI RANJIT SARMA
S/OLATE NIL KANTA SARMA
R/O MAIRAMARI
HOWLY BARPETA

PIN- -781316
DIST. BARPETA
ASSAM

5: SRI PRADIP SAIKIA

S/O LATE MOHIRAM SAIKIA
R/O KAKI -2
LANKA
HOJAI
DIST. HOJAI

6: SRI DWIPEN BARO

S/O LATE SHASTRI RAM BARO
R/O SUBHA
CHENGA

BARPETA
ASSAM

7: MR. MAHAMMAD ALI
S/O LATE MD. JURAN AKI MUNSHI
R/O MANDIA ANCHALIK
COLLEGE

BARPETA
PIN - 781308.
VERSUS

THE STATE OF ASSAM AND 10 ORS.
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM

HIGHER EDUCATION DEPARTMENT

DISPUR
GUWAHATI -781006.

2:THE FINANCE DEPARTMENT

REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM

DISPUR
GUWAHATI - 06.

3:THE DIRECTOR OF HIGHER EDUCATION

GOVT. OF ASSAM
KAHILIPARA
GUWAHATI-19.

4:THE HANDIQUE GIRLS COLLEGE

REP. BY THE PRINCIPAL AND SECRETARY GUWAHATI- 781001
DIST. KAMRUP (M)
ASSAM

5:THE GOVERNING BODY

HANDIQUE GIRLS COLLEGE

REP. BY THE PRESIDENT OF GOVERNING BODY HANDIQUE GIRLS
COLLEGE
GUWAHATI

781001

DIST.KAMRUP (M)

ASSAM

6:THE DARRANG COLLEGE

REP. BY THE PRINCIPAL AND SECRETARY GUWAHATI- 781001
DIST.KAMRUP (M)
ASSAM

7:THE GOVERNING BODY

DARRANG COLLEGE

REP. BY THE PRESIDENT OF GOVERNING BODY DARRANG COLLEGE
DIST. SONITPUR
ASSAM.

8:THE MANDIA ANCHALIK COLLEGE

REP. BY ITS PRINCIPAL AND SECRETARY
BARPETA
PIN - 781308
DIST. BARPETA
ASSAM.

9:THE GOVERNING BODY

MANDIA ANCHALIK COLLEGE

REP. BY THE PRESIDENT OF GOVERNING MANDIA ANCHALIK COLLEGE
BARPETA
PIN -781308
DIST. BARPETA
ASSAM

10:THE LANKA MAHAVIDYALAYA

HOJAI

REP. BY THE PRINCIPAL AND SECRETARY
DIST. HOJAI (M)
ASSAM

11:THE GOVERNING BODY

LANKA MAHAVIDYALAYA
HOJAI

REP. BY THE PRESIDENT OF GOVERNING BODY LANKA MAHAVIDLAYA
HOJAI
DIST. HOJAI (M)
ASSAM.

Advocate for : MR. U K NAIR
Advocate for : SC
HIGHER EDU appearing for THE STATE OF ASSAM AND 10 ORS.

Linked Case : **WP(C)/8817/2018**

KUSHAL KALITA AND 7 ORS.
S/O- LATE MAHENDRA KALITA
R/O- PARLLY
PALASHBARI
DIST- KAMRUP (R)
ASSAM

2: KAUSHIK RANJAN DEB
S/O- LATE KUMAD RANJAN DEB
R/O- RANGMAHAL
LANKA
DIST- HOJAI
ASSAM

3: BINITA PAUL
D/O- BRAJENDRA RANJAN PAUL
R/O- LANKA
WARD NO. 11
P.O- LANKA
DIST- HOJAI
PIN- 782440

4: KULADHAR DEKA
S/O- LATE MUKANDA RAM DEKA
R/O- CHENGA
BARPETA
DIST- BARPETA
ASSAM

5: DILIP KUMAR DAS
S/O- LATE MUKUNDA RAM DEKA
R/O- CHENGA BARPETA

6: ASIMA BEGUM

W/O- ASAD ALI
R/O- CHANGE
MUSALMANPARA
BARPETA
DIST- BARPETA
ASSAM

7: SAIENDRA PATHAK
S/O- PRATAP CHANDRA PATHAK
R/O- MALANCHA
NAGARBERA
DIST- KAMRUP
ASSAM

8: PRABIN DAS
S/O- LATE MAHENDRA NATH DAS
R/O- DAKSHINHHATI
BHAWANIPUR
DIST- BARPETA
ASSAM
VERSUS

THE STATE OF ASSAM AND 12 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
HIGHER EDUCATION DEPTT
DISPUR
GUWAHATI- 06

2:THE FINANCE DEPTT
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
DISPUR
GHY- 06

3:THE DIRECTOR OF HIGHER EDUCATION
GOVT OF ASSAM
KAHILIPARA
GHY- 19

4:THE LANKA MAHAVIDYALAYA
HOJAI
REP. BY THE PRINCIPAL AND SECRETARY
DIST- HOJAI
ASSAM

5:THE GOVERNING BODY
LANKA MAHAVIDYALAYA
HOJAI
REP. BY THE PRESIDENT OF GOVERNING BODY LANKA MAHAVIDYALAYA
HOJAI
DIST- HOJAI
ASSAM

6:THE MADHYA KAMRUP COLLEGE
REP. BY ITS PRINCIPAL AND SECRETARY
CHENGA
DIST- BARPETA
ASSAM

7:THE GOVERNING BODY
MADHYA KAMRUP COLLEGE
CHENGA
DIST- BARPETA
ASSAM

8:THE B P CHALIHA COLLEGE
REP. BY ITS PRINCIPAL AND SECRETARY
NAGERBERA
DIST- KAMRUP

9:THE GOVERNING BODY
B P CHALIHA COLLEGE
NAGARBERA
DIST- KAMRUP

10:THE DAKSHIN KAMRUP GIRLS COLLEGE
REP. BY ITS PRINCIPAL AND SECRETARY
MIRZA
DIST- KAMRUP
ASSAM

11:THE GOVERNING BODY
REP. BY THE PRESIDENT OF GOVERNING BODY
DAKSHIN KAMRUP GIRLS COLLEGE
MIRZA
DIST- KAMRUP
ASSAM

12:THE BHAWANIPUR ANCHALIK COLLEGE
REP. BY ITS PRINCIPAL AND SECRETARY
BHAWANIPUR
BARPETA
PIN- 781352
DIST- BARPETA

13:THE GOVERNING BODY
REP. BY THE PRESIDENT OF GOVERNING BODY
BHAWANIPUR
BARPETA
PIN- 781352
DIST- BARPETA

Advocate for : MR. U K NAIR

Advocate for : SC

HIGHER EDU appearing for THE STATE OF ASSAM AND 12 ORS

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

ORDER

21-06-2023

Learned counsel are in agreement that the matter can be taken up for admission hearing.

Shri S. Das, learned Standing Counsel for the Department submits that the affidavits filed in two cases would also cover the other case as the point involved is identical.

Also heard Shri D. P. Chaliha, learned Senior Counsel appearing for the respondent, Handique Girls' College in WP(C) No.8846/2018 assisted by Shri P. K. Bora, learned counsel and Shri V. Kumar, learned counsel for the respondent Nos. 8 & 9 in WP(C) No. 8817/2018.

As agreed to by the parties, list on **20.07.2023** for **admission hearing**.

JUDGE

Comparing Assistant