

GAHC010279302023



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

Case No. : WP(C)/7278/2023

MANUARA BEGUM AND 4 ORS
WIFE OF BASED ALI,
RESIDENT OF NIZKATHIATOLI,
P.S.- KAMPUR,
DIST.- NAGAON, ASSAM.

2: MAITREE BANIK
WIFE OF SHRI BADAL DAS GUPTA
RESIDENT OF SONARIBARI
P.O. AND P.S.- SAMAGURI
DIST.- NAGAON
ASSAM.

3: GITA BORAH
W/O- SURENDRA BARUAH
RESIDENT OF HAIBORGAON
P.O.
P.S. AND DIST.- NAGAON
ASSAM.

4: NAZRINA BEGUM
D/O- LATE ADIL HUSSAIN
R/O- SADAR THANA ROAD
P.O.
P.S. AND DIST.- NAGAON
ASSAM.

5: KHALID AHMED
S/O- LATE ATAUAR RAHMAN
R/O- ADP ROAD
NAGAON
P.O.
P.S. AND DIST.- NAGAON
ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM,
ELEMENTARY EDUCATION DEPARTMENT,
DISPUR, ASSAM, PIN- 781006.

2:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI- 781019.

3:THE DISTRICT ELEMENTARY EDUCATION OFFICER
NAGAON
ASSAM
PIN- 782001.

4:THE INSPECTOR OF SCHOOLS
NAGAON
ASSAM. PIN- 782001.

5: THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-781006.

Advocate for the Petitioner : MR. K BORUAH, MR. P BORDOLOI, MS P DAS, MR. M ALAM

Advocate for the Respondent : SC, ELEM. EDU, MR P N SARMA

BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN

ORDER

30.10.2024

Heard Mr. P. Bordoloi, learned counsel for the petitioners and also heard Mr. P. Sharma, learned standing counsel, Education (Elementary) Department, appearing for the respondents.

Mr. Sharma, learned standing counsel for the Elementary Education Department submits that he may be granted 3(three) weeks' time to file affidavit-in-opposition.

However, Mr. Sharma is granted 2(two) weeks' time to file his affidavit-in-opposition. Mr. Sharma further submits that in view of the grievance sought to be addressed in this petition, the Finance Department has to be impleaded as respondent in this petition.

In view of the submission of Mr. Sharma, learned standing counsel for the Elementary Education Department and in view of the facts and circumstances on the record, this Court is inclined to implead the Finance Department as respondent No.5.

Let notice be issued to the newly impleaded respondent No.5.

As Mr. R. Borpujari, learned standing counsel, Finance Department, has entered appearance and accepts notice, no formal notice is required to be served upon the said respondent No.5. However, requisite copy of the petition be served to Mr. Borpujari during the course of the day.

List the matter on 18.11.2024.

In the meantime, Registry to amend the cause title.

Sd/- Robin Phukan
JUDGE

Comparing Assistant