

GAHC010279662023



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

**Case No. : WP(C)/7318/2023**

KAMRUL ISLAM CHOUDHURY  
SON OF ABDUL MATIN CHOUDHURY, VILLAGE- SONAPUR PART-I, P.O.  
SONAPUR, P.S. BORKHOLA, DIST. CACHAR, ASSAM

VERSUS

THE STATE OF ASSAM AND 6 ORS  
REPRESENTED BY ITS COMMISSIONER AND SECRETARY GOVT. OF  
SCHOOL EDUCATION DEPARTMENT, DISPUR, GUWAHATI-6

2:THE DIRECTOR  
SECONDARY EDUCATION  
KAHILIPARA  
GUWAHATI  
ASSAM-19

3:THE ACCOUNTANT GENERAL (A AND E)  
ASSAM BELTOLA  
GUWAHATI 29 ASSAM

4:THE DIRECTOR  
PENSION AND PUBLIC GRIEVANCES DEPARTMENT  
DISPUR  
GUWAHATI  
ASSAM

5:THE DISTRICT ELEMENTARY EDUCATION OFFICER  
CACHAR  
SILCHAR

6:THE INSPECTOR OF SCHOOLS  
CDC SILCHAR

CACHAR

7:THE BLOCK ELEMENTARY EDUCATION OFFICER  
CACHAR SILCHAR  
ASSAM

8:THE DIRECTOR  
ELEMENTARY EDUCATION  
KAHILIPARA  
GUWAHATI-1

**Advocate for the Petitioner** : MR. I ALAM, MR. T SK

**Advocate for the Respondent** : SC, SEC. EDU., SC, AG (A AND E),GA, ASSAM

**BEFORE  
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

**ORDER**

**08.09.2025**

Heard Mr. I Alam, learned counsel for the petitioner and Mr. B. Kaushik, learned standing counsel for the School Education Department.

Mr. Kaushik, learned standing counsel for the Department of School Education submits that he may be granted further 10 (ten) days time to receive instruction.

But, perusal of the order dated 06.08.2025, reveals that no further time will be granted to the respondents to file their affidavit-in-opposition.

The prayer is allowed, however, subject to payment of Rs. 10,000/- before the Advocates' Welfare Fund of Gauhati High Court.

Later on, Mr. Kaushik submits that Mr. S.M.T. Chistie, learned standing counsel for the Department has received instruction and the same escaped from his notice and as such, he has prayed for waiving the cost imposed by this Court.

Accordingly, taking note of the submission of Mr. Kaushik, learned standing

counsel for the Department of School Education, the order of imposing cost stands recalled.

The instruction so produced by Mr. Kaushik, shall be part of the record and marked as 'X'.

List the matter on 22.10.2025.

**JUDGE**

**Comparing Assistant**