

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**

**16.12.2025**

Heard Mr. I. Alam, learned counsel for the petitioner and Mr. P. Dutta, learned Standing Counsel for the respondent Nos. 1, 2 & 6. Also heard Ms. S. Konwar, learned Standing Counsel for the respondent Nos. 5 & 7; Ms. S. Sharma, learned counsel on behalf of Mr. B. Sharma, learned Standing Counsel for the respondent No. 3 and Ms. D. D. Barman, learned Additional Senior Government Advocate for the respondent No. 4.

Mr. Dutta has produced two letters of the Deputy Secretary to the Government of Assam, Department of School Education, dated 15.12.2025, and on the basis of the said letters, Mr. Dutta submits that though, the file was moved to the ARTP&PG department to obtain their views, yet, the said department has returned the file, raising certain queries, which read as under-

“The Department of School Education (Secondary) is advised to furnish all the relevant documents as to how past service was counted on earlier occasion

for further examination of the proposal.”

Mr. Dutta also submits that the answer to the aforesaid query is being awaited by the department.

In view of the above, it is provided that Mr. Dutta shall furnish one copy each, of the letters, dated 15.12.2025, to Ms. Konwar, learned Standing Counsel for the respondents in Elementary Education Department, to obtain up-to-date status of the said letters and apprise this Court on the next date.

Registry shall list the matter on **06.01.2026**.

The letters produced before this Court today shall be marked as 'Annexure-A' & 'Annexure-B' and shall be tagged with the record.

**JUDGE**

**Comparing Assistant**