

GAHC030002222026



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

Case No. : WP(C)/38/2026

Dr. Zothanmawia and 14 Ors.
S/o R. Lawmkima
R/o College Veng, Aizawl

2: Dr. Lalzuitluangi
D/o Rev
Vanlalbela
R/o Chaltlang Mual Veng
B(82)
Aizawl
Mizoram

3: Dr. Remruattluanga Hnamte
S/o Challianchhunga (L)
R/o H-No. C-55
Bethlehem Veng
Aizawl

4: Dr. Alexander Lalrinzama
S/o John Lalruata Sailo
R/o B-37
Mac Donald Hill
Zarkawt
Aizawl

5: Dr. Zoramkhuma
S/o Lalvulthanga (L)
R/o Warden Qrtrs. PUC
Boys Hostel PUC
College Veng
Aizawl

6: Dr. Vanlalvenpuia
S/o HS Lalnghakliana

R/o Mission Vengthlangkawn
Aizawl

7: Dr. Daniel Lalawmpuia
S/o Lalchhuanpuia
R/o Bethlehem (V-76C)
Aizawl

8: Zothanmawia
S/o Lalsanglura
R/o Ramhlun Sports Complex
Aizawl

9: Dr. Lalrammuana Sailo
S/o Lalrinsanga
R/o Kolasib Vengthar

10: Lalnundika Hnamte
S/o Lalduhawma Hnamte
R/o 242
Zohnuai
Lunglei
Mizoram

11: Dr. Remlalthlamuanpuia
S/o PC Thangchhinga
R/o Proctor Quarters
PUC
College Veng
Aizawl

12: Dr. Lalthanzuali
D/o R. Lawmkima
R/o B-10/B
Chawnpui Veng
YMA Road
Aizawl

13: Dr. Lalmuanpuia Vanchhawng
S/o Lalrinzama
R/o Dinthar-I
Aizawl

14: Dr. Lallawmkimi
D/o Thanchhuma (L)
R/o T/23
College Veng
Aizawl

15: Dr. P.C. Vanlalhluna
S/o PC. Thlahliana (L)
R/o Botany Dept. PUC
College Veng
Aizawl

VERSUS

The State Election Commission, Mizoram and 2 Or4s.
R/b the State Election Commissioner, 4th Floor, Old Secretariat Building-II, Treasury
Square Aizawl, Mizoram-796001

2:The District Municipal Election Officer and Deputy Commissioner
Aizawl District
Treasury Square
Aizawl - 796001

3:The Municipal Returning Officers
Treasury Square
Aizawl
Mizoram - 79600

Advocate for the Petitioner : Mr C Lalramzauva Sr. Adv.

Advocate for the Respondent :

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO
ORDER**

Date : 20.04.2026

Heard Mr. C. Lalramzauva, learned Senior Counsel assisted by Ms. Zothansangi Hmar, learned counsel for the petitioners.

This petition is taken up as un-listed motion on a mention made by the learned Senior Counsel.

The case of the petitioners, who are all working as Assistant Professors in

Pachhunga University College, which is a constituent college of the Mizoram University is that they have been appointed either as a Team Leader of Home Voting Team or as a Presiding Officer for the upcoming general election of Aizawl Municipal Corporation (AMC) 2026, which according to them is not commensurate to their rank and status. According to the petitioners, they are ready to render their services but in the rank and status, which is commensurate to their respective appointments in the college. They contend that instead of being appointed as a Team Leader or as a Presiding Officer, they could have been appointed as micro observer, additional micro observer or master trainers etc.

Reliance is placed to a case filed by Dr. Samira Behera & 61 Ors. before the Principal Seat of this Court, which was registered and numbered as WP(C) No. 1955 of 2014. The writ petition was considered and disposed of vide Order dated 30.08.2022 after the learned counsel representing the Election Commission of India on instructions had submitted that the Election Commission of India has taken note of the grievance of the petitioners and that henceforth the petitioners and other similarly situated persons would be allotted duties, such as Micro Observer, Additional Micro Observer, Assembly Level Master Trainers etc, which is commensurate to their status in their line of work. Accordingly, the writ petition was disposed of by observing that the Election Commission of India shall take note of the rank and seniority of the petitioners, in future if they are required to serve for the purpose of election duties under the Election Commission of India.

Relying upon the said Order, the petitioners approached the District Election Officer (DEO), Aizawl district by submitting their representation on 09.12.2024, which however, was not considered. The petitioners therefore have

submitted another representation through their appointed counsel on 15.04.2026. However, without paying heed to the representations, the respondent authorities concerned have left the petitioners to attend to duties which otherwise is not befitting their rank and status. Having no alternative, they are before this Court through the instant writ petition.

Mr. C. Lalramzauva, learned Senior Counsel submits that in fact the students of the college where the petitioners are teaching are due to appear for their semester examination, which falls due sometime in the 2nd week of May, 2026 and by appointing the petitioners as Team Leader or Presiding Officer in the upcoming AMC General Election, the petitioners are not in a position to take classes and guide the students in preparing for their semester examination. He submits that since the petitioners are in a teaching profession as Assistant Professor, the respondent authorities should take note of the college curriculum and ensure that the petitioners are not appointed to perform their duty on a teaching day, and thereby depriving the students of their right to education.

In this connection, the learned Senior Counsel has relied upon the Hon'ble Apex Court's decision rendered in *Election Commission of India Vs. Saint Mary's School & Ors.*, reported in (2008) 2 SCC 390, wherein the Hon'ble Apex Court had directed that all teaching staff shall be put on roll revisions and election works on holidays and non-teaching days. That the teachers should not ordinarily be put on duty on teaching days and within teaching hours. However, in respect of non-teaching staff, they may be put on such duties at any time as permissible in law.

The learned Senior Counsel for the petitioner, has also pointed out the fact that the petitioners have prayed for an interim order to the effect that their

respective appointment as Presiding Officer/Team Leader of Home Voting Team be stayed. However, considering the fact that as per the timeline prepared by the State Election Commission vide Notification dated 18.03.2026, polling is to be held on 21st of April, 2026 and therefore it would not be in the interest of all the stakeholders to stay the appointment of the petitioners as it would result in the disruption of the election process. Therefore, this Court is not inclined to stay the appointment orders.

Notwithstanding the rejection for stay of the appointment of the petitioners, the learned Senior Counsel submits that the respondents may at least be directed not to engage the petitioners beyond what is required, keeping in mind their rank and status as well as the incoming semester examination in the college.

In view of above, let a notice of motion be issued, returnable by 24th of April, 2026.

Petitioners to take steps for service of notice upon the respondents by *dasti* through the Registry of this Court within two (2) days and thereafter, file an affidavit to show proof of service.

List the matter again on 24.04.2026.

JUDGE

Comparing Assistant