#### GAHC010129832022



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

Case No.: WP(C)/4456/2022

RAJU MAHANTA S/O GOAPL CH MAHANTA, R/O VILL DAKSHIN KULABALI, BOGINADI, DIST-LAKHIMPUR, PIN-787032, ASSAM

#### **VERSUS**

THE STATE OF ASSAM AND 4 ORS REPRESENTED BY ITS COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM, EDUCATION (SECONDARY) DEPARTMENT, DISPUR-06

2:THE DIRECTOR OF EDUCATION (SECONDARY) DEPARTMENT KAHILIPARA GUWAHATI-19

3:THE NATIONAL COUNCIL FOR TEACHER EDUCATION REPRESENTED BY THE CHAIRPERSON HANS BHAWAN WING-II 1 BAHADUR SHAH JAFAR MARG NEW DELHI-110002

4:THE NATIONAL COUNCIL FOR TEACHER EDUCATION EASTERN REGIONAL COMMITTEE REPRESENTED BY THE CHAIRPERSON BHUBANESWAR REGIONAL DIRECTOR 15 NEEL KANTH NAGAR NAYAPALI BHUBANESWAR-750102

5:THE INSPECTOR OF SCHOOLS LAKHIMPUR

### DIST-LAKHIMPUR ASSA

**Advocate for the Petitioner** : MR B P BORAH

**Advocate for the Respondent** : SC, SEC. EDU.

Linked Case: WP(C)/4460/2022

NILOMANI BORAH AND 17 ORS S/O - LT. TILOCK CH. BORAH VILL -NONI PANI GAON P.O - NONI P.S - NAGAON DIST - NAGAON (ASSAM) PIN - 782101

2: HEDAYAT ULLAH S/O - AYUB ALI VILL -BHEHBARI P.O - GURMOW P.S - RANGIA DIST - KAMRUP (ASSAM) PIN - 781366

3: MOZNUR RAHMAN S/O NUR HUSSAIN MUNSHI VILL -ISLAMPUR P.O -JOGI GHOPA P.S -JOGI GHOPA DIST -BONAGAIGAON PIN -783382

4: ISMAIL HUSSAIN AZAD S/O - ABDUL RASHID VILL - CHALANTAPARA PT-LL P.O -CHALANTAPARA P.S -JOGIGHOPA DIST -BONGAIGAON PIN -783388

5: KHABIRUDDIN AHMED S/O -LT. ALIMUDDIN VILL NO.-1 KAPLABARI P.O KAPLABARI P.S MUKALMUA DIST NALBARI (ASSAM) PIN 781138

6: HEMANTA SAIKIA S/O -DHANIRAM SAIKIA VILL - MADHABPUR P.O -MADHABPUR P.S -NARAYANPUR DIST - LAKHIMPUR( ASSAM) PIN - 784164

7: JAYANTA BORAH S/O - LT. MOHESWAR BORAH VILL - NO.2 KUWADANGA P.O - KUWADANGA P.S - NORTH LAKHIMPUR DIST - LAKHIMPUR PIN - 787031

8: MONOMATI BARAH S/O -LT. BISHNURAM BARAH VILL - NO. 2 KUWADANGA P.O - KUWADANGA P.S - NORTH LAKHIMPUR DIST - LAKHIMPUR PIN - 787023

9: LALON PATHORI S/O - LT. BONSHIDHAR PATHORI VILL - BONGALMORA NO.1 P.O - ISLAMGAON P.S - BIHPURIA DIST - LAKHIMPUR PIN - 787054

10: BISWANATH DUTTA S/O - LT. JIBAN CH. DUTTA VILL - EAST LUMDING SAMAJBARI ROAD P.O - LUMDING P.S - LUMDING DIST - HOJAI PIN - 782447

11: JAHARUL ISLAM S/O - ABDUL SATTAR VILL - ERASUTI PATHER P.O - THELAMARA P.S - THELAMARA DIST - SONITPUR PIN - 784149

12: SORMAN ALI AHMED S/O - MONTAZ ALI AHMED

VILL - BORKALIA PT. LL P.O - BAUSHKATA P.S - FAKIRGONJ DIST - DHUBRI PIN - 783127

13: BIPUL BORUAH S/O - JUGEN BORUAH VILL - KALITA GAON P.O - BORDOLONI P.S - DHEMAJI DIST - GOGAMUKH PIN - 787026

14: PARESH DUTTA S/O - LT. BUDHESWAR DUTTA VILL - UJANI JALBHARI P.O - JALBHARI P.S - DHAKUAKHANA DIST - LAKHIMPUR PIN - 787055

15: JAYDUL HOQUE S/O - ABUBAKKAR SIDDIOUE VILL - DHAKNABARI P.O - KAYETHPARA P.S - ABHAYAPURI DIST - BONGAIGAON PIN - 783389

16: RUNUMANI NATH S/O - LT. BHUGESWAR NATH VILL - HABI BARANGABARI P.O - HABI BARANGABARI P.S - MIKIRBHETA DIST - MORIGAON (ASSAM) PIN - 782106

17: MRIGENDRA NATH SARMA S/O - NARENDRA NATH SARMA VILL - BUDURKUCHI P.O - BUDURKUCHI P.S - NALBARI DIST - NALBARI (ASSAM) PIN - 781348

18: KUSHAL JYOTI CHAKRABORTY S/O - LT. KETAKI RANJAN CHAKRABORTY VILL - RAMKRISHNA SARANI

P.O - RANGIRKHARI

P.S - SILCHAR

**DIST - CACHAR** 

**VERSUS** 

THE STATE OF ASSAM AND 10 ORS

REPRESENTED BY ITS COMMISSIONER AND SECRETARY TO THE

**GOVERNMENT OF ASSAM** 

EDUCATION (SECONDARY) DEPARTMENT

DISPUR-06

2:THE DIRECTOR OF EDUCATION

(SECONDARY)

**DEPARTMENT** 

KAHILIPARA

**GUWAHATI-19** 

3:THE NATIONAL COUNCIL FOR TEACHER EDUCATION

REPRESENTED BY THE CHAIRPERSON

HANS BHAWAN

WING-II

1 BAHADUR SHAH JAFAR MARG

**NEW DELHI-110002** 

4: THE NATIONAL COUNCIL FOR TEACHER EDUCATION

EASTERN REGIONAL COMMITTEE

REPRESENTED BY THE CHAIRPERSON

BHUBANESHWAR REGIONAL DIRECTOR

15 NEEL KANTH NAGAR

NAYAPALI BHUBANESWAR-750102

5:THE INSPECTOR OF SCHOOLS

**MORIGAON** 

**DISTRICT- MORIGAON** 

**ASSAM** 

6:THE INSPECTOR OF SCHOOLS

**BARPETA** 

DIST BARPETA

**ASSAM** 

7:THE INSPECTOR OF SCHOOLS

LAKHIMPUR

DISTRICT- LAKHIMPUR

**ASSAM** 

8:THE INSPECTOR OF SCHOOLS

**KAMRUP** 

**DIST-KAMRUP** 

**ASSAM** 

9:THE INSPECTOR OF SCHOOLS

**DARRANG** 

**DIST-KAMRUP** 

**ASSAM** 

10:THE INSPECTOR OF SCHOOLS

**DHEMAJI** 

DIST-KAMRUP

**ASSAM** 

11:THE INSPECTOR OF SCHOOLS

**UDALGURI** 

**DIST-KAMRUP** 

ASSAM

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Advocate for: MR B P BORAH

Advocate for: SC

SEC. EDU. appearing for THE STATE OF ASSAM AND 10 ORS

Linked Case: WP(C)/4400/2022

NIKUNJA SAHARIA AND 13 ORS S/O-KULEN SAHARIA VILL-BAJRAJHAR(BHELAPARA)P.O-ROWTA CHARIALI DIST-UDALGURI BTC ASSAM PIN-784508

2: AMRIT BHARALI S/O- LATE KHAGEN BHARALI VILL-PALAHGURI P.O-KILLING VALLEY DIST-MORIGAON PIN-782413

3: NARAYAN KUMAR NATH S/O- LATE JOYRAM NATH. VILL-MAHTALI P.O-ANDHERIGHAT DIST-DARRANG PIN-784148

4: SHAJAHAN BHUYAN S/O-SATTAR ALI BHUYAN VILL-PADMAPARA P.O-CHENGA DIST-BARPETA PIN-781305

5: PRABIN CHANDRA SARMAH

S/O- LATE SABHARAM SARMA VILL-DAHI GANAKPARA

P.O-DIGHIRPAR DIST-DARRANG PIN-784144

6: APARNA BARUAH W/O- DIGANTA SAIKIA VILL-SANTIPUR

P.O-PHULBARI BOKANADI

DIST-LAKHIMPUR

7: NOOR UDDIN S/O-HAZI OMAR ALI SHEIKH

VILL-ALAMGANJ P.O-ALAMGANJ

DIST-DHUBRI PIN-783339

8: MRS QUEEN MONI LAHAN D/O- LATE RUPESWAR LAHAN. VILL-PUTAPUKHURI GOHAIN GAON P.O-LILABARI DIST-LAKHIMPUR PIN-787051

9: KALYANI DAS C/O- CHANDAN KUMAR DAS IIT GUWAHATI NORTH GUWAHATI-781039 DIST- KAMRUP

10: RAJU BHUYAN VILL-KADAMIAL P.O-NORAGAON

**DIST-LAKHIMPUR** 

11: KHAGEN SAHARIAH S/O-JINA RAM SAHARIAH

VILL-BOR ATHIABARI

#### P.O-BOR DOULGURI

P.S-SIPAJHAR DIST-DARRANG PIN-784145

12: ROWSHANARA KHANAM W/O-SHJAHAN BHUYAN VILLPADMAPARA

P.O-JATRADIA DIST-BARPETA PIN-781305

13: SHERENA BEGUM D/O-LATE OSMAN GONI AHMED VILL-KUKARPAR P.O-KHONGRA DIST-BARPETA PIN-781305

14: SHIV CHETRY S/O-SHER CHETRY PEOLI PHUKAN ROAD NAGAON P.O-ITACHALI DIST- NAGAON PIN-782003 VERSUS

THE STATE OF ASSAM AND 10 ORS
REPRESENTED BY ITS COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM
EDUCATION (SECONDARY) DEPARTMENT
DISPUR-06

2:THE DIRECTOR OF EDUCATION

(SECONDARY)

**DEPARTMENT** 

KAHILIPARA

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EASTERN REGIONAL COMMITTEE

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BHUBANESHWAR REGIONAL DIRECTOR

15 NEEL KANTH NAGAR

NAYAPALI BHUBANESWAR-750102

5:THE INSPECTOR OF SCHOOLS

**UDALGURI** 

**DISTRICT- UDALGURI** 

**ASSAM** 

6:THE INSPECTOR OF SCHOOLS

**MORIGAON** 

**DIST- MORIGAON** 

**ASSAM** 

7:THE INSPECTOR OF SCHOOLS

LAKHIMPUR

**DISTRICT- LAKHIMPUR** 

**ASSAM** 

8:THE INSPECTOR OF SCHOOLS

**DARRANG** 

**DIST-DARRANG** 

**ASSAM** 

9:THE INSPECTOR OF SCHOOLS

**BARPETA** 

**DIST-BARPETA** 

ASSAM

10:THE INSPECTOR OF SCHOOLS

**DHUBRI** 

**DIST-DHEMAJI** 

ASSAM

11:THE INSPECTOR OF SCHOOLS

KAMRUP (R)

**DIST-KAMRUP** 

**ASSAM** 

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Advocate for: MR B P BORAH

Advocate for : SC, SEC. EDU. appearing for THE STATE OF ASSAM AND 10 ORS

#### BEFORE HONOURABLE MR. JUSTICE LANUSUNGKUM JAMIR

#### **ORDER**

## 6<sup>th</sup> August, 2022

Heard Mr. P.K. Goswami, learned senior counsel, assisted by Mr. B.P. Borah, learned counsel for the petitioners.

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Issue **notice**.

Mr. R. Mazumdar, learned standing counsel appears for the Secondary Education Department and Mr. I. Alam, learned standing counsel appears for the NCTE.

Notices on all the respondents are complete. Requisite extra copies of this writ petition be furnished to the learned counsel for the respondents during the course of the day.

Respondents are allowed to file counter affidavit.

List the matters on **01-09-2022**.

**JUDGE** 

**Comparing Assistant**