

GAHC010049682021



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

Case No. : WP(C)/2430/2021

JONALI KALITA AND 102 ORS.

D/O. HEMO KALITA, VILL. MAKHIBAHA, P.O. MAKHIBAHA, DIST. BAKSA,
B.T.C., ASSAM.

2: SMTI. MANIKA DEVI
W/O-SRI. AJIT SARMA
VILLAGE- KHARUAJAN

P.O- KHARUA
DISRTICT-BAKSA
BTC
ASSAM.

3: SANSHRIMA DAIMARI
D/O-MAHESWAR DAIMARI

VILLAGE- AMBARI

P.O- KUMARIKATA

DISTRICT- BAKSA
BTC
ASSAM

4: BALEN KALITA
S/O- LT. SARBANANDA KALITA
VILL. KARDAIGURI
P.O.-KARDAIGURI

DISTRICT-BAKSA
BTC
ASSAM

5: MANABENDRA DAS

S/O- JOGESWAR DAS
VILL.- NATUN BARBALA P.O-BAGHMARA
DIST- BAKSA
BTC
ASSAM

6: DELAISHREE DEWRY
D/O- PREMA DEWRY
VILL.- KOKLABARI
P.O. SIMLA
DIST-BAKSA
BTC
ASSAM.

7: KUSHA RAMCHIARY
S/O- PUSPO RAMCHIARY
VILL.
P.O.- DIGHELI
DIST - BAKSA
BTC
ASSAM.

8: NAROTHI MOCHAHARY
W/O- SRI MAHAN BASUMATARY
VILL.- AGACHIA
P.O.- DALBARI
DIST- BAKSA
BTC
ASSAM.

9: BALENG RWISUMI WARY
D/O.- SAMBAR WARY
VILL.- KALBARI
P.O.- ANANDABAZAR

DIST- BAKSA
BTC
ASSAM

10: KASHMIREKHA SWARGIARY
D/O.- NANDESWAR SWARGIARY
VILL.- CHAIRANGURI
P.O.- SONAPHULI

DIST- BAKSA
BTC
ASSAM.

11: SEWALI MEDHI
W/O.- SANKAR DAS
VILL.- UJAN BARBARI
P.O.- KARDAIGURI

DIST- BAKSA
BTC
ASSAM.

12: PARAG KALITA
S/O- RATNESWAR KALITA
VILL.- NATUN BARALA
P.O.- CHARNA BAZAR

DIST- BAKSA
BTC
ASSAM.

13: KULAJIT DAS
S/O- TARINI DAS
VILL.- UJAN BARBARI
P.O.- KARDAIGURI

DIST - BAKSA
BTC
ASSAM.

14: CHAMPAK DAS
S/O- DEBENDRA NATH DAS
VILL. AND P.O.- NORTH KARDOIGURI

DIST- BAKSA
BTC
ASSAM.

15: DEEP BARO
S/O- GADADHAR BARO
VILL.- KALJAR
P.O.- BARAMA

DIST- BAKSA
BTC
ASSAM

16: LAMBIR BORO
S/O- HANGAR BORO

VILL. P.O.- DALBARI

DIST- BAKSA
BTC
ASSAM.

17: SIMANGRN MUCHAHARY
S/O- SUREN MUCHAHARY
VILL P.O.- DALBARI

DIST- BAKSA
BTC
ASSAM.

18: SUMITRA BORO
W/O- NANDESWAR DEWRY
VILL.- BHAGPUR
P.O.- BARAMA
DIST- BAKSA
BTC
ASSAM.

19: REJIMA BEGUM
D/O- TAMIJ ALI
VILL.- BHABANIPUR B BLOCK
P.O.- DIGHALDANGA

DIST- BAKSA
BTC
ASSAM.

20: MAUSUMI BRAHMA
D/O- BIRNAL BRAHMA
VILL.- JARIPAR
P.O.- MARKUCHI

DIST- BAKSA
BTC
ASSAM

21: KAN KAN KALITA
S/O- ARUN KALITA
VILL. BARTARI
P.O.- SONAFULI

DIST- BAKSA
BTC

ASSAM

22: FARIDA BEGUM
D/O- SAFED ALI
VILL - NIZ JULUKI
P.O-BARMA

DIST- BAKSA
BTC
ASSAM.

23: RWIRUP MOCHAHARY
D/O. BIRND MOCHAHARY
VILL. BAGULAMARI
P.O.- BAGULAMARI
DIST -BAKSA
BTC
ASSAM.

24: ANIMA AHMED
W/O- KARIM ALI
VILL. BHABANIPUR B. BLOCK
P.O.- DIGHALDONGA
DIST- BAKSA
BTC
ASSAM.

25: TARULATA BORO
W/O- RANJAN RAMCHIARY
VILL. P.O.- DHANBILL
DIST -BAKSA
BTC
ASSAM.

26: PANCHAMI BRAHMA
D/O- JITEN CH. BRAHMA
VILL.- JARIPAR
P.O.- MERKUCHI
DIST- BAKSA
BTC
ASSAM.

27: GITIKA KALITA
D/O- KANDARPA KALITA
VILL.- BHAGPUR
P.O.- BARAMA

DIST - BAKSA
BTC
ASSAM

28: SANDHYA NATH
D/O- MAHESH NATH

VILL. P.O.- SAUDHURVITHA

DIST - BAKSA
BTC
ASSAM.

29: REKHA BASUMATARY
D/O- ANANDI BASUMATARY
VILL
- BARAMA BAJAR
P.O.- BARAMA
DIST- BAKSA
BTC
ASSAM

30: PRATIVA BRAHMA
D/O- MAHESWAR BRAHMA
VILL.- BAJEGAON PATHAR
P.O.- KATAJHAR

DIST- BAKSA
BTC
ASSAM

31: NIPAN TALUKDAR
S/O- KALIKANTA TALUKDAR
VILL P.O.- NAMATI

DIST- BAKSA
BTC
ASSAM.

32: JYOTI RANI BORO
D/O- GADADHAR BORO

VILL.- KALJAR
P.O- BARAMA

DIST- BAKSA

BTC
ASSAM.

33: KANMONI DAS
D/O- PRUFULLA CH. DAS
VILL.- UZAN BARBARI

P.O.- KARDOIGURI

DIST- BAKSA
BTC
ASSAM.

34: SUJATA DEWRY
D/O- NANDESWAR DEWRY
VILL- BANGAON
P.O- BARAMCHARI

DIST- BAKSA
BTC
ASSAM

35: SWAPAN SWARGIARY
S/O- RAJEN SWARGIARY
VILL.- BARJAR
P.O.- BARAMA

DIST- BAKSA
BTC
ASSAM

36: RUPAM BHAGABATI
C/O- MAHESH BHAGABATI
VILL.- KAJIPARA
P.O.- KAJIPARA

DIST- BAKSA
BTC
ASSAM.

37: KALYAN MEDHI
S/O- RAJENDRA MEDHI
VILL. HATKHOLA
P
O-ANANDA BAZAR

DIST-BAKSA
B.T.C
ASSAM

38: AYANMANI RAMCHIARY
C/O- DHARMESWAR RAMCHIARY
VILL.- PAKHAMARA NO. 2

P.O.- DHANBI

DIST- BAKSA
BTC
ASSAM

39: DAIMUSREE BORO
D/O- MONIN BORO
VILL.- KHARUJAN
P.O.- KHARUA

DIST - BAKSA
BTC
ASSAM

40: HIRAN PATHAK
W/O- MILON DAS
VILL.- KALJAR
P.O.- BARAMA
DIST- BAKSA
BTC
ASSAM

41: NURUL ALI
S/O- HASIM ALI
VILL.- BADULIPARA
P.O.- SAUKUCHI

DIST- BAKSA
BTC
ASSAM

42: ALTAF HUSSAIN
C/O- TAKBAR ALI
VILL.- DIPTA
P.O.- SURADI
DIST- BAKSA
BTC
ASSAM.

43: DINESH RAMCHIARY
S/O- PRADIP RAMCHIARY
VILL. ALAGJAR
P.O.- BARAMA
DIST. BAKSA
BTC
ASSAM.

44: GHANASHYAM TALUKDAR
S/O- SARAT TALUKDAR
VILL.- KALJAR
P.O.- BARAMA

DIST- BAKSA
BTC
ASSAM

45: RANJIT DAS
S/O- DHARANI DAS
VILL.- SURADI
P.O.- SURADI
DIST- BAKSA
BTC
ASSAM.

46: SABITA DAS
D/O- DHARANI DHAR DAS
VILL.- AKHARA
P.O.- SURADI
DIST-BAKSA
BTC
ASSAM.

47: BENUDHAR BASUMATARY
S/O- RANJIT BASUMATARY
VILL. P.O.- CHECHAPANI

DIST- BAKSA
BTC
ASSAM

48: SANJIB NATH
S/O- DHANANJOY DEBNATH
VILL. GELPEJAR
P.O.-MERKUCHI

DIST- BAKSA
BTC
ASSAM

49: BAPAN BORO
S/O- BHABEN BORO
VILL. P.O.- MURMELA

DIST- BAKSA
BTC
ASSAM

50: JEUTI RANI DAS
W/O- LAHIT CH. DAS
VILL. P.O.- SAWKUCHI

DIST- BAKSA
BTC
ASSAM.

51: LATAMANI GOHAIN
W/O- LAMBODHAR DAS
VILL.- NIZ JULUKI
P.O.- BARAMA
DIST - BAKSA
BTC
ASSAM.

52: MILIK RAMCHIARY
S/O-LOHIT RAMCHIAYR
VILL. BHAGPUR (BARITARI)
P.O.- BARAMA
DIST- BAKSA
BTC
ASSAM.

53: GAUTAMI BORO
D/O- ABRA BARO
VILL.- ADLA
P.O.- BAGANPARA

DIST- BAKSA
BTC
ASSAM

54: MAMANI ROY CHOUDHURY
W/O- CHANDAN KALITA

VILL.- BHOGPYR
P.O- BARAMA

DIST- BAKSA
BTC
ASSAM.

55: LALIT BASUMATARY
S/O- DHARANI BASUMATARY
VILL.- AGACHIA
P.O.- DALBARI

DIST- BAKSA
BTC
ASSAM

56: MITHUNJOY BASUMATARY
S/O- ANURAM BASUMATARY
VILL. P.O.- BARAMA
DIST- BAKSA
BTC
ASSAM.

57: KAMALA DEVI
S/O- TARUN SARMA
VILL. P.O.- KHARUA

DIST - BAKSA
BTC
ASSAM

58: SURESH BORO
S/O- HOWLA BORO
VILL. P.O.-MUKTAPUR

DIST- BAKSA
BTC
ASSAM

59: PUJA DAIMARY
D/O- HOLADHAR DAIMARY
VILL.- CHAIBARI
P.O.- DHANBILL

DIST- BAKSA
BTC
ASSAM

60: JINUMANI LAUJARY
PURANDAR LAUJARY
VILL.- BEBERJIAPARA
P.O.- ATHIABARI

DIST- BAKSA
BTC
ASSAM.

61: TIKEN BORO
S/O- HARKANTA BORO
VILL.- PASCHIM MAHINA
P.O.- BARSIMULUGURI

DIST- BAKSA
BTC
ASSAM

62: AJIJUL ALI
C/O- AREF ALI
VILL.- RATANPUR
P.O- DIGHELI

DIST- BAKSA
BTC
ASSAM

63: MANIRUL ISLAM
S/O- MANOJ MIA
VILL.- KATHALBARI
P.O- SARUPETA

DIST- BTC
BAKSA
ASSAM

64: RAJU KALITA
S/O- BAJRA NATH KALITA
VILL.- BARJAR
P.O.- BARAMA

DIST- BAKSA
BTC
ASSAM.

65: BINITA KALITA

D/O- NARESWAR KALITA
VILL.- TAKANKATA
P.O.- BARSIMULUGURI

DIST- BAKSA
BTC
ASSAM

66: RAJEN BORO
S/O- KALARAM BORO
VILL. P.O.- DALBARI

DIST- BAKSA
BTC
ASSAM

67: NIJARA BORO
D/O- UPEN BORO
VILL.- GELPEJAR
P.O.- MERKUCHI

DIST- BAKSA
BTC
ASSAM

68: USHA RAMCHIARY
C/O- PHALIN RAMCHIARY
VILL.- NO. 1 NATHKUCHI
P.O.- NATHKUCHI

DIST- BAKSA
BTC
ASSAM.

69: BENUMAYA TAMANG
D/O- BAHADUR TAMANG
VILL. P.O.- SUBANKHATA
DIST- BAKSA
BTC
ASSAM

70: RABIA BEGUM
C/O- SABED ALI
VILL.- NIZ JULUKI
P.O.- BARAMA

DIST- BAKSA

BTC
ASSAM.

71: PULAK BARMAN
S/O- RAMESH BARMAN
VILL.- CHANTAPARA
P.O.- BHOLAGURI

DIST- BAKSA
BTC
ASSAM

72: RAJU BARMAN
HARI MOHAN BARMAN
VILL.- CHANTAPARA
P.O.- BHOLAGURI

DIST- BAKSA
BTC
ASSAM.

73: ANITA RAMCHIARY
D/O- KAMAL RAMCHIARY
VILL.- HATIRTARI
P.O.- ATHIABARI

DIST- BAKSA
BTC
ASSAM.

74: MINA DAS
D/O- DAYA RAM DAS
VILL.- NIZ JULUKI
P.O.- BARAMA

DIST- BAKSA
BTC
ASSAM

75: NABAJIT BARMAN
S/O- PRAFULLA BARMAN
VILL.- ALAGJAR
P.O.- BARAMA

DIST- BAKSA
BTC
ASSAM

76: JITUMANI SWARGIARY
S/O- RAJEN SWARGIARY
VILL.- BARJAR (BARKHAT)
P.O.- BARAMA

DIST-BAKSA
ASSAM.

77: KAMAL KALITA
S/O- ACHYUT KALITA
VILL. KARDAIGURI
P.O.- KARDAIGURI
DIST-BAKSA
BTC
ASSAM

78: HIMANI PATHAK
W/O- BASANTA KR. DAS
VILL. P.O.- KHARUA
DIST-BAKSA
BTC
ASSAM.

79: RUPALI DEVI
W/O- SONESWAR SARMA
VILL. P.O.- KHARUA
DIST-BAKSA
BTC
ASSAM.

80: GAYATRI BORO
D/O- KHAGENDRA NATH BORO
VILL.- BARAMA BAZAR
P.O.- BARAMA
DIST-BAKSA
BTC
ASSAM.

81: DHARITRI MEDHI
D/O- DHANESWAR MEDHI
VILL.- KALJAR
P.O.- BARAMA

DIST- BAKSA
BTC
ASSAM

82: AMULYA KALITA
S/O- RAMCHARAN KALITA
VILL.- POLOKATA
P.O.- PADMAPUR

DIST-BAKSA
BTC
ASSAM

83: PHULAMA KALITA
D/O- ARBINDRA KALITA
VILL.-ALAGJAR
P.O.-BARAMA

DIST- BAKSA
BTC
ASSAM.

84: BHASKAR SAIKIA
S/O- BAPUKAN SAIKIA
VILL. P.O.- KHARUA
DIST-BAKSA
BTC
ASSAM

85: RABIN CH. RABHA
S/O- LT. KANDARPA RAVA
VILL. P.O.- NATUN HOWLI

DIST-BAKSA
MBTC
ASSAM

86: BANJIT TALUKDAR
S/O- HARINARAYAN TALUKDAR
VILL. P.O.- DIGHELI

DIST-BAKSA
BTC
ASSAM

87: DIPA CHETRI
D/O- KHARGE BAHADUR CHETRI
VILL. P.O.- SINGRAPAM

DIST- BAKSA

BTC
ASSAM

88: PRAFULLA KR. HALOI
S/O- DHANESWAR HALOI
VILL.- SONAPUR
P.O.- SUBAKHATA

DIST-BAKSA
BTC
ASSAM

89: RAMKRISHNA DEKA
S/O- MADHU RAM DEKA
VILL. P.O.- NAMATI
DIST-BAKSA
BTC
ASSAM

90: BISWAJIT NATH
S/O- PREM KANTA NATH
VILL. MAJATMAKHA
P.O.- BAGHMARA

DIST-BAKSA
BTC
ASSAM.

91: BISWAJIT BARMAN
S/O- BASANTA BARMAN
VILL.- NIZ JULIKI
P.O.- BARAMA

DIST-BAKSA
BTC
ASSAM

92: NITUMANI KALITA
D/O- RATNESWAR KALITA
VILL.- BARJAR
P.O.- BARAMA

DIST- BAKSA
BTC
ASSAM.

93: DAYAL DAS

S/O- GANESH DAS
VILL.-DENARTARI
P.O.- BHOUKAMARI

DIST-BAKSA
BTC
ASSAM

94: SUCHIL KR. DAS
S/O- DEBESWAR DAS
VILL.- UZANBARBARI
P.O.-KARDOIGURI

DIST-BAKSA
BTC
ASSAM.

95: PRANJAL KR. DAS
S/O- DAYAL CH. DAS
VILL.-UZANBARI
P.O.- KARDOIGURI

DIST-BAKSA
BTC
ASSAM.

96: CHANDRA DAS
S/O- PRAMIL DAS
VILL.- NIZ JULUKI
P.O.- BARAMA

DIST-BAKSA
BTC
ASSAM

97: AKANI DEKA
W/O- GANGADHAR KALITA
VILL.- BARJAR
P.O.- BARAMA

DIST-BAKSA
BTC
ASSASM

98: ARUP BARMAN
S/O- MAHESWAR BARMAN
VILL.- HEREMJAR

P.O.- MADHAPUR

DIST- BAKSA
BTC
ASSAM

99: RAMEN BORO
S/O- LT. UPEN BORO
VILL.- GELPEZAR
P.O.- MERKUCHI

DIST- BAKSA
BTC
ASSAM.

100: RUPKRISHNA BORO
D/O- NARAYAN CH. BORO
VILL.- CHAMATIAPARA
P.O.- ATHIBARI

DIST- BAKSA
BTC
ASSAM.

101: UTPAL RAMCHIARY
S/O- KARUNA RAMCHIARY
VILL.- KAMRIGAON
P.O.- DHANBIL

DIST- BAKSA
BTC
ASSAM.

102: SUBASH DAIMARY
S/O- PRADIP DOIMARY
VILL.- NO. 1 LOKPARA
P.O.- BARIMAKHA
DIST-BAKSA
BTC
ASSAM.

103: JWGSARI RAMCHIARY
D/O- BABUL RAMCHIARY
VILL.- CHOUDURITUP
P.O.- KEREMURA

DIST- BAKSA

BTC
ASSAM

VERSUS

THE STATE OF ASSAM AND 10 ORS.
TO BE REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, DEPTT.
OF EDUCATION (ELEMENTARY) DEPTT., DISPUR, GUWAHATI-781006.

2:COMMISSIONER AND SECRETARY
TO THE WELFARE OF PLAIN TRIBES AND BACKWARD CLASSES (WPT
AND BC) DEPARTMENT
GOVT. OF ASSAM
DISPUR GUWAHATI -781006.

3:THE SECRETARY FINANCE (SUI) DEPARTMENT DISPUR-06

4:BODOLAND TERRITORIAL COUNCIL
REP. BY THE PRINCIPAL SECRETARY BTC
KOKRAJHAR ASSAM PIN-783370.

5:INTERIM BODOLAND EXECUTIVE COUNCIL
REP. BY ITS PRESIDENT AND SECRETARY BTC
KOKRAJHAR ASSAM PIN-783370.

6:THE SECRETARY EDUCATION DEPTT. BTC
KOKRAJHAR ASSAM PIN-783370.

7:THE DIRECTOR OF EDUCATION (ELEMENTARY) BTC
KOKRAJHAR ASSAM PIN-783370.

8:DISTRICT ELEMENTARY EDUCATION OFFICER BAKSA
MUSHALPUR DISTRICT BAKSA ASAM PIN-781372

9:THE INSPECTOR OF SCHOOLS BAKSA
MUSHALPUR DISTRICT BAKSA ASAM PIN-781372

10:DEPUTY INSPECTOR OF SCHOOLS BAKSA
MUSHALPUR DISTRICT BAKSA ASAM PIN-781372

11:THE BLOCK ELEMENTARY EDUCATION OFFICER BAKSA
USHALPUR/TIHU/BARMA/TAMULPUR/JALAH/GOBARDHANA/GORESWAR
DIST. BAKSA ASSAM PIN-781372

Advocate for the Petitioner : Mr M U Ahmed
Advocate for the Respondent : SC, ELEM. EDU

**BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

ORDER

Date : 10.01.2024

The petitioners by way of instituting the present writ petition, have made a prayer for effecting their appointments from a purported select list, dated 20.05.2013, prepared by the Director, Education, Bodoland Territorial Council (BTC), Kokrajhar, on the ground that the appointments were effected from the said select list to some selected persons in the year 2016 but the cases of the petitioners for such appointments were not considered.

On perusal of the materials placed on record, it is seen that the selection process have been initiated in the year 2002 and a select list was prepared. From the endorsements contained in the said select list, the authorities concerned had approved the select list sometime in the year 2015, more particularly, on 20.05.2015. Thereafter, appointments therein were made on 03.08.2016 to certain selected candidates. The appointments made in cases of such candidates is not under challenge in the present writ petition. The present proceedings was initiated only on 09.03.2021 with the prayer as noticed hereinabove.

It is the conclusion of this Court that the select list that was approved on 20.05.2015, the validity of the said select list does not extend beyond one year from the date of its approval and as such, the said select list as on date, is not available. Accordingly, the prayer of the petitioners for a direction of their

appointment on the said select list, cannot be issued by this Court.

At this stage, Mr. M. U. Ahmed, learned counsel for the petitioners, submits that he may be permitted to withdraw the instant writ petition.

Prayer is accepted.

The writ petition accordingly stands dismissed on withdrawal. Interim order passed, if any, stands vacated.

JUDGE

Comparing Assistant