

GAHC010017332024



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

Case No. : I.A.(Civil)/329/2024

DWIPENDRA NATH SARMA AND 12 ORS
S/O- KALPA NATH SARMA, R/O- VILL- SALMARA, P.O. BEZERA, DIST.-
KAMRUP, (ASSAM), PIN- 781121

2: BALENDRA NATH DEKA
S/O- SONARAM DEKA
R/O- VILL- PANITEMA
P.O. PANITEMA
DIST.- KAMRUP
(ASSAM)
PIN- 781001

3: SAFURUDDIN AHMED
S/O- LT. SAFED ALI
R/O- VILL- DOLOITOLA
P.O. SANIADI
DIST.- KAMRUP
(ASSAM)
PIN- 781102

4: GIRISH CH. CHODHURY
S/O- GOJENDRA NATH CHODHURY
R/O- VILL- AGDALA
P.O. BAIHATA CHARIALI
DIST.- KAMRUP
(ASSAM)
PIN- 781381

5: SADHANA THAKURIA
C/O PULIN DEKA
R/O- MALIGAON
SANKAR DEV NAGAR
ADINGGIRI
GUWAHATI

DIST.- KAMRUP (M)
ASSAM
PIN- 781381

6: KALPRA RAM BORO
S/O- CHANDRA RAM BORO
R/O- VILL- BANGALIKUCHI
P.O. AND P.S. RANGIA
DIST.- KAMRUP
ASSAM
PIN- 781354

7: JAHIRUDDIN AHMED
S/O- ABDUL KADIR
R/O- VILL- KACHARI SOLMAR
P.O. KACHARI SOLMAR
DIST.- KAMRUP
(ASSAM)
PIN- 781354

8: GUNENDRA KUMAR NATH
C/O GAJEN CH. NATH
R/O- CHACHAL SIXMILE
KHANAPARA
DIST.- KAMRUP (M)
ASSAM
PIN- 781022

9: PRASANNA KR. TALUKDER
C/O MOHENDRA CH. KAKATI
R/O- AMANGAON
P.O. BONDA (NARANGI)
DIST.- KAMRUP
ASSAM

10: BHABA KANTA KALITA
S/O- KABIN CH. KALITA
R/O- VILL- SALMARA
P.O. BEZERA
DIST.- KAMRUP
ASSAM

11: NAMITA PATOWARY
C/O KABIN CH. DAS
R/O- VILL- BARGAON
P.O. DOROKAHARA
DIST.- KAMRUP
(ASSAM)

PIN- 781101

12: INDRANI DEKA
C/O PHULEN DEKA
R/O- VILL- DHOPATARI
P.O. CHANGSARI
DIST.- KAMRUP
ASSAM
PIN- 781101

13: BHABANI DEKA KAKATI
C/O MOHENDRA CH. KAKATI
VILL- AMANGAON
P.O. BONDA (NARENGI)
DIST.- KAMRUP
ASSA

VERSUS

THE STATE OF ASSAM AND 5 ORS
REP. BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM,
ELEMENTARY EDUCATION DEPTT., HAVING HIS OFFICE AT ASSAM
SECRETARIAT, DISPUR, GHY, DIST.- KAMRUP (M), ASSAM, PIN- 781006

2:THE COMM. AND SECY. TO THE GOVT. OF ASSAM
ELEMENTARY EDUCATION DEPTT.
HAVING HIS OFFICE AT ASSAM SECRETARIAT
DISPUR
GHY
DIST.- KAMRUP (M)
ASSAM
PIN- 781006

3:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
HAVING HIS OFFICE AT KAHILIPARA
GHY
DIST.- KAMRUP (M)
ASSAM
PIN- 781019

4:THE ACCOUNTANT GENERAL (A AND E)
ASSAM HAVING HIS OFFICE AT MAIDAMGAON
BELTOLA
GHY
DIST.- KAMRUP (M)
ASSAM
PIN- 781029

5:THE SECRETARY OF SECONDARY EDUCATION

ASSAM
HAVING HIS OFFICE AT KAHILIPARA
GUWAHATI
DISTRICT KAMRUP(METRO)
ASSAM
PIN 781019.

6:THE DIRECTOR OF SECONDARY EDUCATION

ASSAM
HAVING HIS OFFICE AT KAHILIPARA
GUWAHATI
DISTRICT KAMRUP(METRO)
ASSAM
PIN 781019

Advocate for the Petitioner : MR R SINGHA

Advocate for the Respondent : SC, ELEM. EDU

Linked Case : WP(C)/539/2023

DWIPENDRA NATH SARMA AND 12 ORS
S/O- KALPA NATH SARMA
R/O- VILL- SALMARA
P.O. BEZERA
DIST.- KAMRUP
(ASSAM)
PIN- 781121

2: BALENDRA NATH DEKA
S/O- SONARAM DEKA
R/O- VILL- PANITEMA
P.O. PANITEMA
DIST.- KAMRUP
(ASSAM)
PIN- 781001

3: SAFURUDDIN AHMED
S/O- LT. SAFED ALI

R/O- VILL- DOLOITOLA
P.O. SANIADI
DIST.- KAMRUP
(ASSAM)
PIN- 781102

4: GIRISH CH. CHODHURY
S/O- GOJENDRA NATH CHODHURY
R/O- VILL- AGDALA
P.O. BAIHATA CHARIALI
DIST.- KAMRUP
(ASSAM)
PIN- 781381

5: SADHANA THAKURIA
C/O PULIN DEKA
R/O- MALIGAON
SANKAR DEV NAGAR
ADINGGIRI
GUWAHATI
DIST.- KAMRUP (M)
ASSAM
PIN- 781381

6: KALPRA RAM BORO
S/O- CHANDRA RAM BORO
R/O- VILL- BANGALIKUCHI
P.O. AND P.S. RANGIA
DIST.- KAMRUP
ASSAM
PIN- 781354

7: JAHIRUDDIN AHMED
S/O- ABDUL KADIR
R/O- VILL- KACHARI SOLMAR
P.O. KACHARI SOLMAR
DIST.- KAMRUP
(ASSAM)
PIN- 781354

8: GUNENDRA KUMAR NATH
C/O GAJEN CH. NATH
R/O- CHACHAL SIXMILE
KHANAPARA
DIST.- KAMRUP (M)
ASSAM
PIN- 781022

9: PRASANNA KR. TALUKDER
C/O MOHENDRA CH. KAKATI
R/O- AMANGAON
P.O. BONDA (NARANGI)
DIST.- KAMRUP
ASSAM

10: BHABA KANTA KALITA
S/O- KABIN CH. KALITA
R/O- VILL- SALMARA
P.O. BEZERA
DIST.- KAMRUP
ASSAM

11: NAMITA PATOWARY
C/O KABIN CH. DAS
R/O- VILL- BARGAON
P.O. DOROKAHARA
DIST.- KAMRUP
(ASSAM)
PIN- 781101

12: INDRANI DEKA
C/O PHULEN DEKA
R/O- VILL- DHOPATARI
P.O. CHANGSARI
DIST.- KAMRUP
ASSAM
PIN- 781101

13: BHABANI DEKA KAKATI
C/O MOHENDRA CH. KAKATI
VILL- AMANGAON
P.O. BONDA (NARENGI)
DIST.- KAMRUP
ASSAM
VERSUS

THE STATE OF ASSAM AND 3 ORS
REP. BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
ELEMENTARY EDUCATION DEPTT.
HAVING HIS OFFICE AT ASSAM SECRETARIAT
DISPUR
GHY
DIST.- KAMRUP (M)
ASSAM
PIN- 781006

2:THE COMM. AND SECY. TO THE GOVT. OF ASSAM
ELEMENTARY EDUCATION DEPTT.

HAVING HIS OFFICE AT ASSAM SECRETARIAT
DISPUR

GHY

DIST.- KAMRUP (M)

ASSAM

PIN- 781006

3:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM

HAVING HIS OFFICE AT KAHILIPARA

GHY

DIST.- KAMRUP (M)

ASSAM

PIN- 781019

4:THE ACCOUNTANT GENERAL (A AND E)
ASSAM HAVING HIS OFFICE AT MAIDAMGAON
BELTOLA

GHY

DIST.- KAMRUP (M)

ASSAM

PIN- 781029

Advocate for : MR R SINGHA

Advocate for : SC

ELEM. EDU appearing for THE STATE OF ASSAM AND 3 ORS

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

19.04.2024

Heard Mr. R. Singha, learned counsel for the applicants. Also heard Ms. D. Mushahary, learned Standing Counsel, Elementary Education and Mr. B. Sarma, learned Standing Counsel, Accountant General.

This interlocutory application has been filed for impleadment of the Secretary and Director of Secondary Education as respondents in W.P.(C) No. 539/2023. The said opposite parties are sought to be impleaded as parties as it is submitted that the Schools in which the petitioners have been working have got merged in the meantime

with the High Schools and accordingly, the opposite parties sought to be impleaded as the parties are necessary and proper parties for adjudication in the matter.

Notice in the matter was issued on 12.02.2024, however, no objection has been filed by the opposite party/respondents.

Accordingly, the interlocutory application stands allowed. The opposite parties No. 5 & 6 are arrayed as respondents No. 5 & 6 in W.P.(C) No. 539/2023.

The applicants will file amended cause title before the Registry within a period of two weeks from today.

Accordingly, the interlocutory application stands disposed of.

JUDGE

Comparing Assistant