

GAHC010014232023



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

Case No. : WP(C)/839/2020

SHEULY LASKAR
W/O- SRI SUSHANTA ROY
R/O- PUBLIC SCHOOL ROAD
BIPIN DAS L P SCHOOL GOLI
P.O AND P.S- RANGIRKHARI
DIST- CACHAR
PIN- 788005
ASSAM

VERSUS

THE STATE OF ASSAM AND 15 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
EDUCATION (ELEMENTARY) DEPTT
DISPUR
GUWAHATI- 06

2:THE DIRECTOR OF ELEMENTARY EDUCATION
KAHILIPARA
GUWAHATI- 19

3:THE DEEO

CACHAR
SILCHAR
ASSAM
PIN- 788003

4:THE DEPUTY INSPECTOR OF SCHOOLS

CACHAR
SILCHAR
ASSAM
PIN- 788003

5:THE BLOCK ELEMENTARY EDUCATION OFFICER

NARSINGPUR BLOCK

CACHAR

SILCHAR

ASSAM

PIN- 788115

6:MONOJ DAS

HEAD TEACHER OF 373 NO. BORAI BASTI L P SCHOOL

P.O SACHINPUR

P.S- DHOLAI

DIST- CACHAR

ASSAM

7:SANDHYA ROY

W/O- MONTU ROY

VIL- BORAI BASTI

P.O- SACHINPUR

P.S- DHOLAI

PIN- 788116

DIST- CACHAR

ASSAM

8:BABY ROY

W/O- NENU ROY

VILL- BORAI BASTI

P.O- SACHINPUR

P.S- DHOLAI

PIN- 788116

DIST- CACHAR

ASSAM

9:KISHORE JYOTI DAS

S/O- LATE RAKESH DAS

VILL- BORAI BASTI

P.O- SACHINPUR

P.S- DHOLAI

PIN- 788116

DIST- CACHAR

ASSAM

10:ANJAN ROY

S/O- UNKNOWN

VILL- BORAI BASTI

P.O- SACHINPUR

P.S- DHOLAI

PIN- 788116

DIST- CACHAR

ASSAM

11:NILAKANTA ROY

S/O- LATE LALIT ROY

VILL- BORAI BASTI

P.O- SACHINPUR

P.S- DHOLAI

PIN- 788116
DIST- CACHAR
ASSAM
12:SUMIT ROY
W/O- UNKNOWN VILL- BORAI BASTI
P.O- SACHINPUR
P.S- DHOLAI
PIN- 788116
DIST- CACHAR
ASSAM

13:KHAGENDRA ROY
S/O- UNKNOWN
VILL- BORAI BASTI
P.O- SACHINPUR
P.S- DHOLAI
PIN- 788116
DIST- CACHAR
ASSAM

14:SHILPI ROY
W/O- UNKNOWN
VILL- BORAI BASTI
P.O- SACHINPUR
P.S- DHOLAI
PIN- 788116
DIST- CACHAR
ASSAM

15:MONTU ROY
S/O- UNKNOWN
VILL- BORAI BASTI
P.O- SACHINPUR
P.S- DHOLAI
PIN- 788116
DIST- CACHAR
ASSAM

16:BIPLAB SARKAR
S/O- BRAJENDRA ROY
VILL- BORAI BASTI
P.O- SACHINPUR
P.S- DHOLAI
PIN- 788116
DIST- CACHAR
ASSAM

Advocate for : MR. D K SARMAH

Advocate for : SC

ELEM. EDU appearing for THE STATE OF ASSAM AND 15 ORS

**BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK**

ORDER

06.02.2023

Heard Ms. A Talukdar, learned counsel for the petitioner and Mr. SMT Chistie, learned Standing counsel, Department of School Education, Assam for the respondent Nos. 1 to 5.

The petitioner is an Assistant Teacher of 373 No. Baraibasti Lower Primary school under the Narsingpur Education Block of District- Cachar.

The petitioner submitted that the respondent Nos. 6 to 16 including the Head Teacher of said school are harassing her regularly in rendering her service to the students of the said school.

Though she filed complaints against those respondent Nos. 6 to 16 before the Block Elementary Education Officer (BEEO), Narsingpur, the District Magistrate, Cachar at Silchar under Section 107 Cr.P.C. and the Deputy Commissioner, Cachar, Silchar, but no such action has been initiated against those respondent Nos. 6 to 16.

Hence this writ petition by the petitioner for a direction to the respondent authorities to make an enquiry against the illegal activities of the respondent Nos. 6 to 16 carried out by them in the school premises and miss-appropriation of fund allotted for mid-day meal etc.

From the perusal of the complaints lodged by the petitioner before the Deputy Commissioner, Cachar, Silchar as well as before the BEEO, Narsingpur and under section 107 Cr.P.C. before the District Magistrate, Cachar, Silchar, it appears that those are internal disputes between the petitioner and the respondent Nos. 6 to 16.

The petitioner has not stated about the status of her application filed under section 107 Cr.P.C before the District Magistrate, Cachar, Silchar.

Considering the entire aspect of the matter, this writ petition is disposed of with the observation that the petitioner if so advised, may file appropriate application

before the Director of Elementary Education (DEE), Assam within 30 days from today, with a copy to the Deputy Inspector of Schools, Cachar, Silchar regarding her allegations against the respondent Nos. 6 to 16 along with a detailed proof.

In the event of filing such application by the petitioner before the DEE, Assam, as directed above, the DEE, Assam through the District Elementary Education Officer, Cachar, Silchar; the Deputy Inspector of Schools, Cachar, Silchar and the Block Elementary Education Officer, Narsingpur may enquire into the matter and on the basis of such enquiry report may take appropriate action against the erring official in accordance with law.

With the above observation and direction, this writ petition stands disposed of.

JUDGE

Comparing Assistant