

GAHC010081052023



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

Case No. : WP(C)/2280/2023

SMTI PRANATI NATH
D/O LATE NANDI RAM NATH, R/O COLLEGE ROAD, WARD NO. 10, P.O. AND
P.S.-MANGALDOI, DIST-DARRANG, ASSAM, PIN-784125

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,
DEPARTMENT OF SCHOOL EDUCATION, DISPUR, GUWAHATI-781006

2:THE DIRECTOR OF SECONDARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI
PIN-781019

3:INSPECTOR OF SCHOOLS
DARRANG
MANGALDOI
ASSAM
PIN-784125

4:THE HEADMISTRESS
BIDYAPITH HIGH SCHOOL
MANGALDOI KRIMCHOWK
P.O.-MANGALDOI
DIST-DARRANG
ASSAM
PIN-78412

Advocate for the Petitioner : MR. T K BHUYAN

Advocate for the Respondent : SC, SEC. EDU.

BEFORE

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

03/05/2023

Heard Mr. T K Bhuyan, learned counsel for the petitioner and Ms. H Terangpi, learned Standing counsel, Department of School Education, Assam for the respondent Nos. 1 to 3.

2. Petitioner was appointed as an Assistant Teacher at Bamunpara M.E. School by an order dated 02.11.1999 issued by the District Elementary Education Officer, Darrang, Mangaldai and since then, she has been discharging her duties in the said school.

3. It is stated by the petitioner that said Bamunpara M.E. School on being amalgamated with Vidyapith High School, Karimchowk, Mangaldai, the petitioner has become an employee of said Vidyapith High School under the Director of Secondary Education, Assam from the date of amalgamation of her earlier school, namely, Bamunpara M.E. School.

4. It is stated by the petitioner that for her personal requirement, she approached the Headmistress of said Vidyapith High School, Karimchowk, Mangaldai to issue her salary statement(s) for the last 3 (three) consecutive months, but the Headmistress of the said High School did not consider her prayer. As such, she submitted an application before the Inspector of Schools, Darrang, Mangaldai on 19.10.2022, which is yet to be considered.

5. As the respondent authorities, i.e., the Inspector of Schools, Darrang, Mangaldai as well as the Headmistress of said Vidyapith High School did not consider her prayer to provide her the salary statement(s) for the last 3 (three) consecutive months, she has preferred this writ petition praying amongst others for a direction to the respondent authorities, more particularly, the Headmistress of Vidyapith High School, Karimchowk, Mangaldai to issue her salary statement(s) for the last 3 (three) consecutive months.

6. After hearing the learned counsels for the parties and considering the entire aspects of the matter, this writ petition is disposed of at the motion stage itself directing the petitioner to submit an

appropriate application before the Headmistress of Vidyapith High School, Karimchowk, Mangaldai, District-Darrang to provide her the salary statement(s) for the last 3 (three) consecutive months of English calendar.

7. In the event of filing any such application by the petitioner to provide her salary statement(s) for the last 3 (three) consecutive months, the Headmistress of Vidyapith High School, Karimchowk, Mangaldai shall forthwith inform the petitioner about the requisite cost for such salary statement(s) for the relevant months, intimating her as to which account such cost to be paid or such amount can be paid by cash. Thereafter, the petitioner shall pay the requisite cost for providing her the salary statement(s) for the last 3 (three) consecutive months as per the intimation of the Headmistress of said Vidyapith High School.

8. The authorities of Vidyapith High School on receipt of such cost to be deposited by the petitioner, shall provide her necessary money receipt in that regard for depositing such cost towards her salary statement(s) to be provided to the petitioner by the authorities of the said High School.

9. Further, on receipt of such cost of salary statement(s), the respondent authorities of Vidyapith High School, Karimchowk, Mangaldai shall provide the salary statement(s) for the relevant months to the petitioner as per her application within a period of 1 (one) week from the date of receipt of such cost, noted above, if there is no other impediment in providing the same to her.

10. Petitioner shall submit a certified copy of this order along with a copy of this writ petition including the Annexure appended thereto before the President of the SMDC as well as the Headmistress of said Vidyapith High School, Karimchowk, Mangaldai forthwith, obtaining necessary acknowledgment from those authorities in that regard.

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

JUDGE

Comparing Assistant