

GAHC010222462022



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

Case No. : Cont.Cas(C)/607/2022

PRAHLAD DEURI AND 6 ORS
S/O LATE MAMAN SINGH DEURI, ASSISTANT TEACHER, ASSAM ANDHA
SISHU VIDYALAYA, URBAN AREA, R/O MAJAR CHAPORI, P.O.-
KINAPATHAR, P.S.-NARAYANPUR, DIST-LAKHIMPUR, ASSAM, PIN-784164

2: MUKUT DUTTA
S/O LATE HIRA DUTTA
ASSISTANT TEACHER
ASSAM ANDHA SISHU VIDYALAYA
URBAN AREA
R/O CHAMUAH GAON
P.O.-GHARMARA
P.S.-NORTH LAKHIMPUR
DIST-LAKHIMPUR
ASSAM
PIN-787001

3: JAWHARLAL PEGU
S/O LATE MEGHNATH PEGU
ASSISTANT TEACHER
CHLEK LP SCHOOL
R/O VILL-PERANI BHETI
P.O.-ARIMARA TINIALI
P.S.-DHOLPUR
DIST-LAKHIMPUR
ASSAM
PIN-784165

4: MEGHARAM DOLEY
S/O LATE SIBANATH DOLEY
ASSISTANT TEACHER
UPOR ARIMARA LP SCHOOL
R/O VILL- ARIMARA
PO- ARIMARA TINIALI

P.S.-DHOLPUR
DIST- LAKHIMPUR
ASSAM
PIN-784165

5: SMT. DIPAMONI PEGU
D/O PABAN DOLEY
ASSISTANT TEACHER
SOYANGPATIR LP SCHOOL
R/O VILL-MAJAR CHAPORI
P.O.-MERAMUKH
P.S.-NARYANPUR
DIST-LAKHIMPUR
ASSAM
PIN-784164

6: KHIRESWAR SAIKIA
S/O LATE THANESWAR SAIKIA
ASSISTANT TEACHER
PHUTABHOG RANGAJAN LP SCHOOL
R/O VILL- BORTHEKERABARI
P.O.-HOWJAN
P.S.-DHOLPUR
DIST-LAKHIMPUR
ASSAM
PIN-784165

7: DEBASISH KAKATI
S/O GOBIN KAKATI
ASSISTANT TEACHER
BHATMOW ME SCHOOL
R/O VILL NO. 3 SIMALUGURI
P.O AND P.S.-SIMALUGURI
DIST-LAKHIMPUR
ASSAM
PIN-78416

VERSUS

DR. BIJOYA CHOUDHURY AND 5 ORS
IAS, COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM, DEPTT.
OF SCHOOL EDUCATION, ASSAM, ASSAM CIVIL SECRETARIAT, BLOCK-C,
DISPUR, GUWAHATI-781006.

2:SMT. SURANJANA SENAPATI
ACS
THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM

KAHILIPARA
GUWAHATI
ASSAM
PIN-781019

3:MANISH THAKUR
IAS
THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF FINANCE
ASSAM
ASSAM CIVIL SECRETARIAT
BLOCK-F
DISPUR
GUWAHATI
PIN-781006

4:HEM CHANDRA SAIKIA
THE DIST. ELEMENTARY EDUCATION OFFICER
NORTH LAKHIMPUR
LAKHIMPUR
ASSAM
PIN-784160.

5:DABARAM KUTUM

DY. INSPECTOR OF SCHOOLS
NORTH LAKHIMPUR
CUM BEEO IN CHARGE BIHPURIA
DIST. LAKHIMPUR
ASSAM
PIN-784160.

6:HARIPADA DAS

BLOCK ELEMENTARY EDUCATION OFFICER
NARAYANPUR EDUCATIONAL BLOCK
DIST. NORTH LAKHIMPUR
ASSAM
PIN-784164

Advocate for the Petitioner : MR. A K DUTTA

Advocate for the Respondent : SC, ELEM. EDU

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

ORDER

22.03.2023.

Heard Mr. B Purkayastha, learned counsel for the petitioners. Also heard Mr. SMT Chistie, learned Standing counsel, Department of School (Elementary) Education, Assam and Mr. A Chaliha, learned Standing counsel, Finance Department for the contemnors/respondents.

By order dated 09.03.2022 passed in WP(C) No. 4835/2021 (Prahlad Deuri and 6 Ors. -Vs- State of Assam and 6 Ors.) the Court disposed of said writ petition directing the respondents therein to consider and verify the case of the petitioners with regard to their claim for arrear salaries for the period from 20.10.2012 to 28.02.2015 and thereafter, to do the needful for release of the same expeditiously and in any event within an outer limit of four months from the date of the said order.

As the respondents in the Elementary Education Department of the State did not comply with the said order dated 09.03.2022 passed in WP(C) No. 4835/2021 within the time so specified, the petitioners have preferred this contempt petition.

Mr. Chistie, Standing counsel, Department of School (Elementary) Education placed before the Court a communication under No. E-253243/148 dated 21.03.2023 issued by the State Government in the Department of School Education, submitting that an amount of Rs. 32,76,884/- in connection with WP(C) No. 4835/2021 was duly processed towards arrear salaries of the petitioners and the same was sanctioned vide Department's Letter No. ECF.268635/26 dated 17.03.2023 informing the Accountant General, Assam about the same.

Mr. B Purkayastha, learned counsel for the petitioners has also submitted that the petitioners have already received the said amount.

In view of the above, since the respondents have already complied with the order dated 09.03.2022 passed in WP(C) No. 4835/2021, as such, there is no

contempt of Court on the part of the respondents.

Accordingly, this contempt petition being infructuous stands dismissed.

Copy of the communications dated 17.03.2023 and 21.03.2023 placed before the Court by Mr. SMT Chistie, Standing counsel, Department of School (Elementary) Education be kept as part of the record.

JUDGE

Comparing Assistant