

GAHC010222462022



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

Case No. : Cont.Cas(C)/622/2022

KUKIL NEOG AND 9 ORS
S/O TILAK NEOG
ASSISTANT TEACHER
MAJOR CHAPORI LP SCHOOL
R/O VILL AND P.O.-PANBARI
DIST-NORTH LAKHIMPUR
ASSAM
PIN-784164

2: JATIN GOGOI
S/O KHAGESWAR GOGOI
ASSISTANT TEACHER
NO. 1 PULINA HARANI LP SCHOOL
R/O VILL- NO. 1 CHESSA PANIGAON
P.O.-SIMALUGURI
DIST-NORTH LAKHIMPUR
ASSAM
PIN-784165

3: ANIL SARMAH
S/O LATE DINDI RAM SARMAH
ASSISTANT TEACHER
ANUBOICHA LP SCHOOL
R/O MADHABPUR
P.O.-DIKRONG
DIST-NORTH LAKHIMPUR
ASSAM
PIN-784164

4: LOKNATH SAIKIA
S/O LATE BALURAM SAIKIA
ASSISTANT TEACHER
BONPURNOI LP SCHOOL

R/O VILL-LATABARI
P.O.-BONPHROI
DIST-NORTH LAKHIMPUR
ASSAM
PIN-784165

5: SMTI REKHA MONI PHUKAN
W/O LATE TILSWAR BARUAH ASSISTANT TEACHER
MAJGAON LP SCHOOL
R/O VILL-ANUBOICHA
P.O.-MERAMUKH
DIST-NORTH LAKHIMPUR
ASSAM
PIN-784164

6: SMTI. RINA KAKOTI
W/O JAGAT HAZARIKA
ASSISTANT TEACHER
KALYANPUR LP SCHOOL
R/O VILL- CHARIDOLONI
P.O.-MADHABPUR
DIST-NORTH LAKHIMPUR
ASSAM
PIN-784164

7: SMTI HEMA PROVA BARUAH
W/O AMULYA NEOG
ASSISTANT TEACHER
PANBARI ME SCHOOL
VILL AND P.O.-PANBARI
DIST-NORTH LAKHIMPUR
ASSAM
PIN-784164

8: SMTI SUMESWARI DEURI
W/O BEA KUMAR DEURI
ASSISTANT TEACHER
11(1) BORDEURI LP SCHOOL
R/O VILL AND PO-BORDEURI
DIST-NORTH LAKHIMPUR
ASSAM
PIN-784164

9: SMTI DULUMONI BORAH
W/O LATE PRASANNA RAJKHOWA
ASSISTANT TEACHER
262 NO RAIDONGIA LP SCHOOL
R/O VILL AND P.O.-RAIDONGIA

DIST-NORTH LAKHIMPUR
ASSAM
PIN-784164

10: KARUNA BORAH
S/O CHENIRAM BORAH ASSISTANT TEACHER
NAPUMA LP SCHOOL
R/O VILL AND P.O.-MERMUKH
DIST-NORTH LAKHIMPUR
ASSAM
PIN-784164
VERSUS

DR. BIJOYA CHOUDHURY
IAS AND 5 ORS
COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT 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-788006

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

5:DABARAM KUTUM
DEPUTY INSPECTOR OF SCHOOLS
NORTH LAKHIMPUR

CUM BEEO IN-CHARGE BIHPURIA
DIST- LAKHIMPUR
ASSAM
PIN-784160
6:HARIPADA DAS
BLOCK ELEMENTARY EDUCATION OFFICER
NARYANPUR EDUCATIONAL BLOCK
DIST-NORTH LAKHIMPUR
ASSAM
PIN-784164

Advocate for : MR. A K DUTTA
Advocate for : appearing for DR. BIJOYA CHOUDHURY
IAS AND 5 ORS

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. 3945/2021 (Kukil Neog and 9 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. 3945/2021 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. 46,26,800/- in connection with WP(C) No. 3945/2021 was duly processed towards arrear salaries of the petitioners and the same was sanctioned vide Department's Letter No. ECF.270044/85 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. 3945/2021, 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