

GAHC040015512023



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

Case No. : WP(C)/536/2023

Sangha Poshi
Son of late Sangha Epo,
resident of Papu Nallah,
District Papum Pare,
Arunachal Pradesh,
Pin No. 791110,
Mobile No. 7630811830

2: Chera Taro Age:
Occupation : BRCC Koloriang
PO and PS Koloriang
Kurung Kumey Arunachal Pradesh

3: Langda Raju Age:
Occupation : CRCC Parsiparlo
PO and PS Parsiparlo District
Kurung Kumey Arunachal Pradesh

VERSUS

The State of AP and 2 Others represented by the Chief Secretary,
Govt of Arunachal Pradesh, Itanagar.

2:The Secretary of Education Department
Age: 0 Occupation :
Govt. of Arunachal Pradesh Itanagar.

3:The DDSE cum DPO
Age: 0
Occupation :
Kurung Kumey District
Koloriang Arunachal Pradesh

Advocate for the Petitioner : Chorpok Modi

Advocate for the Respondent : Ms. K. Wangmu, GA
Mr. T. Tagum, SC (Education)

BEFORE
HONBLE MR. JUSTICE KARDAK ETE

ORDER

Date : 03-04-2024

Heard Mr. C. Modi, learned counsel for the petitioners. Also heard Ms. K. Wangmu, learned State counsel appearing for the respondent No. 1 and Mr. T. Tagum, learned standing counsel for the Education Department representing respondents No. 2 & 3.

2. By filing this application, the petitioners have sought for a direction to the respondent authorities to dispose of the representation of the petitioners dated 28.01.2020, in continuation of the earlier order, dated 28.05.2020, passed by this Court in WP(C)111(AP)2020.

3. The case of the petitioners as projected is that the petitioners were appointed by different orders issued by the District Project Officer, Kurung Kumey District, Koloriang as Block Research Cluster Centre (BRCC) and Cluster Research Cluster Centre (CRCC). It is contended that due to the change in the Government policy, the Dy. State Project Director, Samagra Shiksha/ISSE, Arunachal Pradesh, Itanagar vide W.T. Massage, dated 28.06.2019, informed all

the Deputy Commissioner-cum-District Project Directors in Arunachal Pradesh that appointment of BRCC and CRCC shall henceforth be done by the State Headquarter only. Pursuant to such direction, the State Headquarter in-charge of the Samagra Shiksha/ISSE started issuing orders for appointment of BRCC and CRCC. By an order, dated 20.01.2020, the petitioners have been replaced by some other persons which is contrary to the decision communicated vide W.T. Massage, dated 28.06.2019.

4. Stated to have been aggrieved, the petitioners submitted a representation on 28.01.2020 to the Secretary (Education), Government of Arunachal Pradesh and having the representation not been considered and disposed of by the Secretary (Education), Government of Arunachal Pradesh, a writ petition being WP(C) 111(AP)2020 was instituted before this Court.

5. This Court on 28.05.2020, on the consent of the parties disposed of the writ petition (supra) with a direction to the Secretary (Education), Government of Arunachal Pradesh to consider the representation of the petitioners, dated 28.01.2020, within a period of 20 (twenty) days from the receipt of the certified copy of the order.

6. The petitioners by the instant application have again approached this Court strangely praying for same direction to dispose of the representation dated 28.01.2020 in continuation of the earlier order of this Court dated 28.05.2020, passed in WP(C)111(AP)2020.

7. Having considered the submissions of the learned counsels appearing for the parties and the nature of the prayer made in this writ petition, this Court is of the view that there is no scope available to consider the prayer of the petitioners and I am afraid that the writ petition would be entertainable

inasmuch as this Court cannot pass the same order again and over the order that has been passed in the earlier writ petition. Thus, the writ petition is not entertainable. Accordingly, the writ petition stands dismissed.

8. However, the dismissal of the present writ petition shall not be a bar to the respondent authorities to consider the representation of the petitioners as directed by this Court in earlier writ petition.

JUDGE

Comparing Assistant