

GAHC010016232024



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

Case No. : MC/3/2024

SHONAB UDDIN MOLLAH
S/O LATE TAHAJ UDDIN MUNSHI, R/O BAHADURTARI, WARD NO.11, P.S.
DHUBRI, DIST- DHUBRI, ASSAM

VERSUS

STATE OF ASSAM and 7 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, EDUCATION ELEMENTARY DEPARTMENT, DISPUR, GHY-6

2:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GHY-19

3:THE DISTRICT ELEMENTARY EDUCATION OFFICER
DHUBRI
DIST- DHUBRI
ASSAM
PIN-783301

4:THE DY. COMMISSIONER
DHUBRI
ASSAM
PIN-783301

5:THE MANAGING COMMITTEE
BAHADURTARI M.E. SCHOOL
REPRESENTED BY ITS PRESIDENT
P.O. DHUBRI
DIST- DHUBRI
ASSAM

PIN-783301

6:THE HEAD MASTER CUM MEMBER SECRETARY
BAHADURTARI M.E. SCHOOL WARD NO.11
DIST- DHUBRI
ASSAM
PIN-783301

7:SHEIKH MD. ZAKIR HUSSAIN
S/O SHEIKH A. BARI
R/O BAHADURTARI
WARD NO.11
DIST- DHUBRI
ASSAM
PIN-783301

8:SHEIKH ANOWAR HUSSAIN
S/O SHEIKH AYAN UDDIN
R/O KATLAMARI
P.O. PADMERALGA PART-IV
DIST- DHUBRI
ASSAM
PIN-783

Advocate for the Petitioner : MR. A SAYED, MR. S K TALUKDAR

Advocate for the Respondent : SC, ELEM. EDU,

BEFORE
HONOURABLE MR. JUSTICE LANUSUNGKUM JAMIR

ORDER

Date : 19-08-2024

1. Heard Mr. S.K. Talukdar, learned counsel for the applicant. Also heard Mr. B.K. Bora, learned Standing Counsel, Elementary Education for the respondent Nos. 1, 2 & 3. Mr. B. Deori, learned Government Advocate appears for respondent No. 4 and Mr. R. Islam, learned counsel appears for respondent Nos. 7 & 8.

- 2.** By this application the applicant is praying for restoration of WP(C) No. 4773/2012 which was dismissed for default on 08.01.2024.
- 3.** The learned counsel for the applicant submits that as the names of the counsel who are appearing on behalf of the petitioner in WP(C) No. 4773 of 2012 were not reflected in the Cause List, they could not appear on the day the matter was listed and accordingly the said writ petition was dismissed on account of non-prosecution by order dated 08.01.2024.
- 4.** Learned counsel for the respondents have no objection for restoration of the said writ petition.
- 5.** This Court has also considered the cause shown in the present application and is satisfied and accordingly the prayer for restoration is allowed.

The I.A. is disposed of.

JUDGE

Comparing Assistant