

GAHC010028272024



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

Case No. : WP(C)/863/2024

NOOR JAHANARA BARBHUIYA
D/O- MAKADDAS ALI BARBHUIYA, W/O- AKTAR HUSSAIN CHOUDHURY,
VILL- ALGAPUR PART I,
P.O- KALI BARI BAZAR,
P.S-ALGAPUR, DIST- HAILAKANDI

VERSUS

THE STATE OF ASSAM AND 3 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
DEPARTMENT OF SCHOOL EDUCATION, ASSAM
DISPUR, GUWAHATI-6

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

3:THE DISTRICT ELEMENTARY EDUCATION OFFICER

HAILAKANDI

4:THE DEPUTY INSPECTOR OF SCHOOLS
HAILAKAND

Advocate for the Petitioner : MS B DEVI

Advocate for the Respondent : SC, ELEM. EDU

B E F O R E
HON'BLE MR. JUSTICE KARDAK ETE

21.02.2024

Heard Ms. B. Devi, learned counsel for the petitioner. Also heard Mr. B. Kaushik, learned Standing Counsel, Elementary Education.

The petitioner was appointed as Stipendary/ Asstt. Teacher in Mohanpur R.A. L.P. School, Hailakandi vide dated 04.01.2001. Her service has been accommodated as Tutor on 23.09.2022. It is the case of the petitioner that in the order of accommodation as Tutor dated 22.09.2022, the name of the petitioner has been wrongly recorded as Noor Sahanara Begum Barbhuiya instead of Noor Jahanara Barbhuiya. The Member Secretary, Mohanpur RA LP School vide order dated 22.09.2022 informed the BEEO for correction of her name. Thereafter, the concerned authority has sought for correction of the petitioner's name to the Competent Authority. When nothing was forthcoming, the petitioner has filed the representation on 15.12.2023 before the Director of Elementary Education, Assam praying for correction of her name from Noor Sahanara Begum Barbhuiya to Noor Jahanara Barbhuiya. However, the Director of Elementary Education, Assam has failed to consider the case of the petitioner without any valid reason and due to such wrong entry of the name, she is not getting her salary.

On consideration of the submissions of the learned counsel for the parties and considering the nature of the grievance raised in this writ petition, I deem it appropriate to dispose of this writ petition directing the Director of Elementary Education, Assam to consider and dispose of the representation filed by the

petitioner dated 15.12.2023.

Accordingly, the present writ petition is disposed of with a direction to the Director of Elementary Education, Assam to consider and dispose of the representation filed by the petitioner dated 15.12.2023 within a period of 20 (twenty) days from the date of receipt of the certified copy of this order.

Needless to observe that on correction of the name of the petitioner, the petitioner shall be entitled to all the consequential benefits provided as may be permissible under law.

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

JUDGE

Comparing Assistant