

GAHC010034742024



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

Case No. : I.A.(Civil)/501/2024

MD ARAN ALI
S/O- LT. SUKUR ALI,
VILL- N.C PUB KAZIA,
P.S- BHAGNAMARI,
P.O- KALARCHAR,
DIST- NALBARI, ASSAM, PIN-781312

VERSUS

THE STATE OF ASSAM AND 14 ORS
REP. BY THE SECRETARY TO THE GOVT OF ASSAM, ELEMENTARY
EDUCATION DEPARTMENT, DISPUR, GUWAHATI-06, ASSAM

2:THE DEPUTY SECRETARY
TO THE GOVT OF ASSAM
ELEMENTARY EDUCATION DEPARTMENT
DISPUR
GUWAHATI-06
ASSAM

3:DISTRICT ELEMENTARY EDUCATION OFFICER
NALBARI
ASSAM

4:HARMUZ ALI
S/O- HASAN ALI

PUB KAZIA MEM

R/O- DARANGIPARA

5:MAMTAZ PARBIN

PUB KAZIA MEM

R/O-KHONGRA

DIST- BARPETA

6:SHAHAB ALI

C/O HEADMASTER
NC PUB KAZIA MEM
TOWN KALACHAR
CLUSTER- KALACHARR
LAC-BARKHETRI
DIST. NALBARI
ASSAM
PIN 781312.

7:SHURA BHANU

C/O HEADMASTER
NC PUB KAZIA MEM
TOWN KALACHAR
CLUSTER- KALACHARR
LAC-BARKHETRI
DIST. NALBARI
ASSAM
PIN 781312.

8:CHAABAR ALI

C/O HEADMASTER
NC PUB KAZIA MEM
TOWN KALACHAR
CLUSTER- KALACHARR
LAC-BARKHETRI
DIST. NALBARI
ASSAM
PIN 781312.

9:SHAHIDA PARBIN

C/O HEADMASTER
NC PUB KAZIA MEM
TOWN KALACHAR
CLUSTER- KALACHARR
LAC-BARKHETRI
DIST. NALBARI
ASSAM

PIN 781312.

10:JOSNA BHANU

C/O HEADMASTER
NC PUB KAZIA MEM
TOWN KALACHAR
CLUSTER- KALACHARR
LAC-BARKHETRI
DIST. NALBARI
ASSAM
PIN 781312.

11:UJALA KHATUN

C/O HEADMASTER
NC PUB KAZIA MEM
TOWN KALACHAR
CLUSTER- KALACHARR
LAC-BARKHETRI
DIST. NALBARI
ASSAM
PIN 781312.

12:ABDAS SATTER ALI

C/O HEADMASTER
NC PUB KAZIA MEM
TOWN KALACHAR
CLUSTER- KALACHARR
LAC-BARKHETRI
DIST. NALBARI
ASSAM
PIN 781312.

13:FULCHAA ALI

C/O HEADMASTER
NC PUB KAZIA MEM
TOWN KALACHAR
CLUSTER- KALACHARR
LAC-BARKHETRI
DIST. NALBARI
ASSAM
PIN 781312.

14:TAHER ALI

C/O HEADMASTER
NC PUB KAZIA MEM
TOWN KALACHAR
CLUSTER- KALACHARR
LAC-BARKHETRI
DIST. NALBARI
ASSAM
PIN 781312.

15:AMIRJAN

C/O HEADMASTER
NC PUB KAZIA MEM
TOWN KALACHAR
CLUSTER- KALACHARR
LAC-BARKHETRI
DIST. NALBARI
ASSAM
PIN 781312

Advocate for the Petitioner : MR. R GOSWAMI

Advocate for the Respondent : SC, ELEM. EDU

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 20.02.2024

Heard Mr. R. Goswami, learned counsel for the applicant/petitioner. Also heard Mr. A. Phukan, learned standing counsel, Elementary Education Department, Government of Assam.

By filing this application, the applicant/petitioner has prayed for impleading the Opposite Party No. 6. Shahab Ali 7. Shura Bhanu 8. Chaabar Ali 9. Shahida Parbin 10. Josna Bhanu 11. Ujala Khatun 12. Abdas Satter Ali 13. Fulchaa Ali 14. Taher Ali and 15. Amirjan as respondents in the connected writ petition as the above named persons are not the guardians of the students who have been included in the School Management Committee, in violation of relevant rules/Act.

According to the applicant, the above named persons are necessary party in the connected writ petition, for which, the applicant prays for impleading them as respondents in the connected writ

proceeding being WP(C) 748/2024.

Mr. A. Phukan, learned standing counsel has made no objection to the aforesaid prayer of the learned counsel for the applicant/petitioner.

Having considered that the persons sought to be impleaded by the applicant is stated to be the ineligible persons who have been included as member of the School Management Committee, I am of the view that they are the necessary parties in the connected writ petition.

Accordingly, the applicant/petitioner is allowed to implead the Opposite Parties as Respondents No. 6. Shahab Ali 7. Shura Bhanu 8. Chaabar Ali 9. Shahida Parbin 10. Josna Bhanu 11. Ujala Khatun 12. Abdas Satter Ali 13. Fulchaa Ali 14. Taher Ali and 15. Amirjan in the connected writ petition.

In view of the above, the interlocutory application stands allowed and disposed of.

JUDGE

Comparing Assistant