

GAHC010072452024



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

Case No. : WA/119/2024

MUBARAQUE HUSSAIN
S/O- SULTAN MAMUD, RESIDENT OF VILLAGE- JARATHANI, P.O. AND P.S.
RUPAHI, DIST.- NAGAON, ASSAM, PIN- 782125

VERSUS

THE STATE OF ASSAM AND 7 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, ELEMENTARY EDUCATION DEPARTMENT, DISPUR,
GUWAHATI-6, DISTRICT- KAMRUP (METRO), ASSAM

2:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI- 781019

3:THE DEPUTY DIRECTOR AND INQUIRY OFFICER
ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI- 781019

4:THE DEPUTY COMMISSIONER
NAGAON
P.O. AND DISTRICT- NAGAON
ASSAM
PIN- 782001

5:THE ADDL. DEPUTY COMMISSIONER (EDUCATION)
NAGAON
P.O. AND DISTRICT- NAGAON
ASSAM

PIN- 782001

6:THE BLOCK ELEMENTARY EDUCATION OFFICER
RUPAHI
DISTRICT- NAGAON
ASSAM
PIN- 782125

7:THE SUB-INSPECTOR OF SCHOOLS
RUPAHI
NAGAON
ASSAM
PIN- 782125

8:THE PRESIDENT OF SCHOOL MANAGEMENT COMMITTEE
PUTHIKHAITY M.E. SCHOOL
P.O. KAOIMARI
DIST.- NAGAON
ASSAM
PIN- 78214

Advocate for the Petitioner : MR. R C DAS

Advocate for the Respondent : SC, ELEM. EDU

**BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

**Date : 29/07/2024
*Vijay Bishnoi, CJ***

Heard Mr. R.C. Das, learned counsel for the appellant. We have also heard Mr. N.J. Khataniar, learned Standing Counsel, Education Department, Assam and Mr. N. Das, learned Government Advocate, Assam, appearing for the respondents.

Notices upon all the respondents has duly been served.

This writ appeal is filed by the appellant against the order dated 04/03/2024 passed by the learned Single Judge in WP(C) No. 6853/2023. In WP(C) No. 6853/2023, the petitioner

has challenged the suspension order dated 16/06/2023 issue by the Director, Elementary Education, Assam, suspending the petitioner from the post of Head Master of Puthikhaity M.E. school under the BEEO, Rupahi.

The learned Single Judge had noticed that in the departmental proceeding, the petitioner has been awarded some punishment and thereafter, his suspension order has been revoked and he is allowed to join on the original place of posting. While observing this, the learned Single Judge has disposed of the writ petition with the direction to the In-charge Head Master to permit the petitioner to join in his original place of posting.

Having heard the learned counsel for the parties and after going through the materials available on record, particularly, taking into consideration the fact that the petitioner has filed the writ petition challenging the suspension order and when the same has already been revoked, no further order is required to be passed. Hence, we do not find any merit in the writ appeal. The same is accordingly dismissed.

JUDGE

CHIEF JUSTICE

sukhamay

Comparing Assistant