

GAHC010076882022



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

Case No. : Cont.Cas(C)/231/2022

RABINDRA NATH KONCH
S/O- LATE TOSHESWAR KONCH, R/O- VILL.- SARU AJOHA GAON, P.O.
KALAKATA, DIST. DHEMAJI, ASSAM, PIN- 787057.

VERSUS

MRS. BIJOYA CHOUDHURY AND ANR.
THE DIRECTOR OF ELEMENTARY EDUCATION, ASSAM, KAHILIPARA,
GUWAHATI-19.

2:SMTI. SURANJANA SENAPATI
THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19

Advocate for the Petitioner : MR. K R PATGIRI

Advocate for the Respondent : MR B KAUSHIK

**BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

ORDER

Date : 09.02.2024

This Court vide its order dated 16.09.2021, passed in Cont.Case(C)/189/2020 had required the respondents authorities to place the case of the petitioner before the expert committee constituted in terms of the decision of this Court in the case of *Sudhendu Mohan Talukdar v. State of Assam & Ors.* reported in (2007) 1 GLR 608.

Mr. B. Kaushik, learned counsel for the respondents has submitted that the respondents authorities have placed the case of the petitioner before the said committee and the committee on consideration of the case of the petitioner has held that the petitioner's superannuation occasioning on 30.11.2020 has prevented his engagement as tutor in the matter and accordingly, the supernumerary post as required to be created could not be so directed to be so created for the petitioner, the petitioner's claim on the said ground came to be rejected.

In view of the fact that the order(s) passed by this Court and noted herein above, having been complied with, this Contempt petition stands closed. However, liberty is reserved to the petitioner to assail the findings of the expert committee as constituted in terms of the decision in *Sudhendu Mohan Talukdar (Supra)*.

A copy of the minutes of the meeting of the expert committee as produced before this Court by Mr. B. Kaushik, learned counsel is kept on

record and marked as 'X' for identification.

JUDGE

Comparing Assistant