

GAHC010087482024



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

Case No. : WP(C)/2310/2024

DEBANANDA PEGU

S/O- JAYGURAM PEGU, R/O- PURANA JELEM GAON, P.S. JONAI, DHEMAJI,
ASSAM, 787060, PRESIDENT OF SCHOOL MANAGEMENT COMMITTEE OF
MURKONG SELEK COLLEGIATE HIGH SCHOOL, JONAI, DHEMAJI, ASSAM

VERSUS

STATE OF ASSAM AND 3 ORS

REPRESENTED BY COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, SECONDARY EDUCATION, DISPUR,
GUWAHATI, ASSAM- 781006

2:THE DIRECTOR OF SECONDARY EDUCATION
KAHILIPARA
MAIN ROAD
781019
ASSAM

3:THE SECRETARY
BOARD OF SECONDARY EDUCATION (ASSAM)
RAILWAY COLONY ROAD
RAILWAY COLONY
BAMUNIMAIDAN
GUWAHATI
781021
ASSAM

4:THE CHAIRMAN
BOARD OF SECONDARY EDUCATION (ASSAM)
RAILWAY COLONY ROAD
RAILWAY COLONY
BAMUNIMAIDAN
GUWAHATI
781021
ASSA

Advocate for the Petitioner : MR P R SARMA

Advocate for the Respondent : SC, SEC. EDU.

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

ORDER

Date : 01.05.2024

Heard Mr. P. R. Sarma, learned counsel for the petitioner. Also heard Mr. D. K. Roy, learned standing counsel, Board of Secondary Education, Assam; and Mr. S.M.T. Chistie, learned standing counsel, Secondary Education Department, appearing on behalf of their respective respondents.

The petitioner who projects himself to be the President of the School Management Committee(SMC) of Murkong Selek Collegiate High School, Jonai, Dhemaji, has instituted the present proceedings, making a grievance with regard to the problems faced by the students of the said school in filling-up the application forms for appearing in the ensuing HSLC Compartmental Examination 2024 and accordingly, requires this Court to direct the Board of Secondary Education, Assam, to consider the representation as submitted in the matter by the petitioner.

It is to be noted that the affiliation of the said school was cancelled by the Board of Secondary Education, Assam, for issues as noticed in the order, dated 23.02.2024, issued by the said Board.

In view of the cancellation of the affiliation of the said school, the students

studying in the school, in question, would not be permitted to submit their applications for appearing in the examinations conducted by the Board of Secondary Education, Assam, including the ensuing HSLC Compartmental Examination 2024, through the said school.

Mr. Roy, learned standing counsel, Board of Secondary Education, Assam, has placed on record, a communication, dated 30.04.2024, wherein, the Secretary, Board of Secondary Education, Assam, had required the Inspector of Schools, Dhemaji District Circle, Dhemaji, to receive the applications of the eligible students of the said school who are desirous to appear in the HSLC Compartmental Examination 2024, in his Office. It is also provided that one Shri Pankaj Borah, Member Secretary, Regional Office of Board of Secondary Education, Dhemaji, was entrusted with the duty of accepting the applications with necessary fees.

On a query made by this Court, Mr. Roy, learned standing counsel, Board of Secondary Education, Assam, has submitted that the students of the said school, so desirous to now appear in the HSLC Compartmental Examination 2024, have to approach the Office of the Inspector of Schools, Dhemaji District Circle, Dhemaji, and therein, submit their applications and the necessary formalities as may be involved in the matter, shall be completed in the said Office itself.

In view of the above position, the apprehension as raised by the petitioner in the present proceedings, stands redressed.

Accordingly, the writ petition is disposed of by directing the Inspector of Schools, Dhemaji District Circle, Dhemaji, as well as the Board of Secondary

Education, Assam, to strictly implement the procedure as laid down in the communication, dated 30.04.2024, and to ensure that the students of the said school desirous to appear in the HSLC Compartmental Examination 2024, are not faced with any difficulty in applying for appearing in the said examination as well as for appearing therein, from a Centre that would now be identified by the Board of Secondary Education, Assam.

The above aspect of the matter shall be intimated to all students of the said school now eligible to appear in the ensuing HSLC Compartmental Examination 2024, by the present petitioner.

With the above directions and observations, this writ petition stands disposed of.

The copy of the order, dated 30.04.2024, as produced by Mr. Roy, learned standing counsel, Board of Secondary Education, Assam, shall be kept as a part of the record and marked as 'X' for identification.

JUDGE

Comparing Assistant