

GAHC010090692024



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

**Case No. : WA/160/2024**

RUKUN UDDIN AHMED  
S/O LATE RIAZ UDDIN AHMED, RESIDENT OF DAGAON,  
PO DAGAON, PS JURIA, DIST NAGAON, ASSAM 782124

VERSUS

1: ZIAUL ISLAM AND 5 ORS  
S/O. SOFIQUL ISLAM, VILL. AND P.O. ALITANGANI,  
PS JURIA, DIST. NAGAON, PIN-782124.

2: THE STATE OF ASSAM REP. BY THE SECRETARY TO THE GOVT. OF  
ASSAM EDUCATION (SECONDARY) DEPTT. DISPUR GUWAHATI-06.

3: THE DIRECTOR SECONDARY EDUCATION  
ASSAM KAHILIPARA GUWAHATI-19.

4: THE DEPUTY COMMISSIONER  
NAGAON ASSAM.

5: THE INSPECTOR OF SCHOOLS  
NDC NAGAON ASSAM DIST. NAGAON.

6: THE PRINCIPAL ALITANGANI OSMANIA HIGHER SECONDARY SCHOOL  
VILL. AND P.O. ALITANGANI DIST. NAGAON ASSAM PIN-782124

For the Appellant(s) : Mr. P.J. Saikia, Sr. Advocate, assisted by Mr. P. Saikia, Advocate.

For the Respondent(s) : Mr. N.J. Khataniar, Standing Counsel, Education (Secondary)  
Department for respondent Nos.2, 3 & 5.

: Mr. R.K. Bora, Additional Senior Government Advocate, Assam for  
respondent No.4.

**- B E F O R E -**  
**HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI**  
**HON'BLE MR. JUSTICE SUMAN SHYAM**

**29.05.2024**  
*(Vijay Bishnoi, CJ)*

This writ appeal is filed by the appellant being aggrieved with the order dated 25.01.2024 passed by the learned Single Judge in WP(C) No.7192/2022.

By the said order, the learned Single Judge has set aside the appointment of the appellant (respondent No.6 in the writ petition) as the President of the School Managing Committee of Alitangani Osmania Higher Secondary School. The learned Single Judge has taken into consideration the fact that earlier also the appellant was appointed as the President of the School Managing Committee of Dagaon A.K. High School, however, the said appointment of the appellant was cancelled by the Secretary of the Government of Assam, Education (Secondary) Department vide order dated 03.03.2018 while holding that as per the Guidelines issued by the State Government for constituting School Managing Committees dated 24.06.2016 and the letter dated 07.12.2016, the appellant is not eligible for appointment on the post of President of the School Managing Committee and the said order has attained finality. The learned Single Judge was of the view that when the order dated 03.03.2018 has not been challenged by the appellant declaring him ineligible for his appointment as President of the School Managing Committee, the appointment of the appellant subsequently on the very same post in another School cannot be sustained.

Having heard the learned senior counsel for the appellant and after going through the material available on record, we do not find any illegality in

the view expressed by the learned Single Judge. Hence, no interference is called for. Accordingly, the writ appeal stands dismissed.

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**