

GAHC010098782024



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

Case No. : WA/167/2024

MD. HAFIZUR RAHMAN AND ANR
S/O KHADIBUR RAHMAN
RESIDENT OF VILLAGE RAMPUR PAM, CHALAPATHAR, PO
CHALAPATHAR, PS BATADRAVA, DIST NAGAON, ASSAM 782122

2: ABUL KALAM
S/O LATE SAMAR ALI.
RESIDENT OF VILLAGE RAMPUR SATRA PO KADOMONI
PS BATADRAVA
ASSAM 78212

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM,
DEPARTMENT OF SCHOOL EDUCATION DEPARTMENT, DISPUR,
GUWAHATI- 781006.

2:THE DIRECTOR OF SECONDARY EDUCATION

ASSAM KAHILIPARA
GUWAHATI 781019

3:THE INSPECTOR OF SCHOOLS
NAGAON DISTRICT
ASSAM 782001

4:THE DEPUTY COMMISSIONER
NAGAON DISTRICT
ASSAM 782001

5:ABU ZAFAR SIDDIQUE
S/O- LATE ABUL HUSSAIN
R/O- VILLAGE KADAMONI

P.O- KADAMONI
P.S- BATADRAVA
DIST- NAGAON
ASSAM
PIN-782122
ASSAM

6:NAZRUL ISLAM
S/O MD. MOFIZUDDIN
R/O VILLAGE RAMPUR PAM
P.O. CHALAPATHAR
P.S. BATADRAVA
NAGAON
ASSAM
PIN 782122

For the appellants : Mr. P. Chakraborty, Advocate
For the respondents : Mr. R. Mazumdar, S.C., Education
Mr. A. Deka, Advocate for
Respondent Nos.5 and 6.

– B E F O R E –

HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE SUMAN SHYAM

28-08-2024

(Vijay Bishnoi, C.J.)

The nomination of the appellants herein as President and Vice President of the School Management & Development Committee (SMDC) of Rampur Chalapathar Sahed Ali High School was interfered by the learned Single Judge taking into consideration the admission on the part of the counsel for the writ petitioners that their nomination as President and Vice President of the SMDC was not in accordance with the guidelines issued vide Notification dated 27.06.2016. The learned Single Judge has remanded the matter to the concerned authorities to initiate fresh selection process for the post of President and Vice President of the SMDC of the school in question within the stipulated

time.

Taking into consideration the fact that it was fairly admitted on behalf of the writ petitioners (appellants herein) before the learned Single Judge that their nomination as the President and Vice President of the SMDC of the school in question was not in accordance with the guidelines issued vide Notification dated 27.06.2016, we do not find any illegality in the impugned judgment and order dated 25.04.2024 passed by the learned Single Judge in W.P.(C) 6054/2023 and hence, this writ appeal is dismissed.

JUDGE

CHIEF JUSTICE

Comparing Assistant