

GAHC010113092020



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

Case No. : Cont.Cas(C)/355/2020

AMARENDRA NATH
S/O- LT. ANANTA KUMAR NATH, R/O- VILL- KADAMTOLA, P.O. DALGOMA,
P.S. MATIA, DIST.- GOALPARA, ASSAM, PIN- 783125

VERSUS

PREETOM SAIKIA AND 2 ORS.
IAS, COMM. AND SECY. TO THE GOVT. OF ASSAM, SECONDARY
EDUCATION DEPTT., DISPUR, GHY-06

2:PHANINDRA JIDUNG
DIRECTOR OF SECONDARY EDUCATION
ASSAM
KAHILIPARA
GHY-19

3:NRIPEN DAS
INSPECTOR OF SCHOOLS
GOALPARA DISTRICT CIRCLE (GDC)
GOALPARA
DIST.- GOALPARA
ASSAM
PIN

Advocate for the Petitioner : MR. I H LASKAR, MR. P K DEKA, MD. S ALOM

Advocate for the Respondent : MR S M T CHISTIE, MR. R MAZUMDAR, MR S NEOGI, MR. D SAIKIA

**BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA**

ORDER

30.08.2024

Heard Mr. S. Alom, learned counsel for the petitioner. Heard Mr. SMT. Chistie, learned counsel for the respondent No.3, who has submitted that all the respondents have superannuated. However, he has received instructions that respondent No.1 and 2 have retired, and respondent No.3 has since been transferred.

2. It is further submitted by the learned counsel for respondent No.3 that the previous incumbent to the Office of the Inspector of Schools, Goalpara District Circle (GDC), Goalpara namely Mr. S. Khan has provided to him a copy of the speaking order dated 30.09.2021, passed by the Inspector of School Goalpara District Circle (GDC) Goalpara, by which the petitioner was held to be entitled to receive his salary with effect from 01.07.1994 till termination from his service.

3. The learned counsel for the petitioner has submitted that although this speaking order was passed on 30.09.2021, but till date, as per instructions received, the petitioner is not received his dues.

4. Be that as it may, as the directions in the order of the Court dated 09.12.2019 passed in WP(C) 725/2017 were limited to directing the Inspector of Schools Goalpara, District Circle (GDC), Goalpara, to pass a speaking order for the release of salary for the service rendered by him till he was terminated from service, the Court is of the considered opinion that by passing the said speaking order, dated 30.09.2021, the herein before referred order dated 09.12.2029, passed in WP(C) No. 725/2017, has been complied with.

5. In so far as the submission of the learned counsel for the petitioner is concerned that the petitioner has not received his salary, it is open to the petitioner to take such steps as he may be so advised.
6. The photocopy of the speaking order dated 30.09.2021 by the Inspector of Schools, Goalpara District Circle, Goalpara, as produced by the learned counsel for the respondent No.3, is made a part of record.
7. In view of the above, this contempt petition stands closed.

JUDGE -

Comparing Assistant