

GAHC010124952023



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

Case No. : WA/145/2024

SUBHASH NATH MAZUMDAR
S/O- LATE SUKUMAR NATH MAZUMDAR R/O- VILL KATLICHERRA BAZAR
, P.O- KATLICHERRA .DIST- HAILAKANDI, ASSAM, PIN-788161

VERSUS

NIRENDRA KUMAR NATH AND 5 ORS. H
S/O- LATE NORESH CHANDRA NATH R/O- VILLAGE RANGABAK PART-II
P.O - KATLICHERRA DIST- HAILAKANDI,ASSAM

2:THE STATE OF ASSAM
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
DEPTT. OF SECONDARY EDUCATION
DISPUR
GUWAHATI-6

3:THE DIRECTOR OF SECONDARY EDUCATION

ASSAM KAHILIPARA
GUWAHATI
ASSAM
PIN-781019

4:THE DEPUTY COMMISSIONER
HAILAKANDI ASSAM

5:THE INSPECTOR OF SCHOOLS
HAILAKANDI
ASSAM

6:THE PRINCIPAL
C.M.H.S SCHOOL

KATLICHERRA
HAILAKANDI
ASSAM
78816

Advocate for the Petitioner : MR. K A MAZUMDER

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

29.05.2024

(Vijay Bishnoi, CJ)

This writ appeal has been filed by the appellant being aggrieved with the order dated 02.12.2022, passed by the learned Single Judge in WP(C) 3302/2022.

The dispute before the learned Single Judge was regarding appointment of the President of the School Management and Development Committee (SMDC) of CMHS School, Katlicherra, Hailakandi.

In the impugned order, the learned Single Judge has observed that neither the respondent No. 1/writ petitioner could claim for the post of the President of the SMDC nor was the appointment of the appellant/respondent No. 6 in the writ petition in accordance with law, as their names had not been recommended and forwarded for the post of President as per the modified guidelines dated 24.06.2016, wherein the procedures for appointment of President of SMDC have been provided. The learned Single Judge has, therefore, issued a direction to the concerned respondent authority to duly select and nominate the person concerned from amongst the names recommended by the Inspector of Schools for the post of President of the SMDC in

question.

Having heard the learned counsel for the parties and considering the fact that the learned Single Judge has issued a direction for holding a fresh selection for the post of President of the SMDC of the school concerned, we do not find any case for interference. However, the appellant is free to apply for the post of President of the SMDC, in accordance with law.

With the above observations the writ appeal stands disposed of.

JUDGE

CHIEF JUSTICE

Comparing Assistant