

GAHC010131632024



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

Case No. : WP(C)/3368/2024

AGWMA BRAHMA
S/O LATE TANKESWAR BRAHMA,
RESIDENT OF VILLAGE KHAGRABARI, PO JALAHGHAT, DIST BAKSA,
ASSAM 781327

VERSUS

THE BODOLAND TERRITORIAL REGION AND 3 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY, BODOLAND
TERRITORIAL REGION KOKRAJHAR, ASSAM 783370

2:THE STATE OF ASSAM
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF EDUCATION (SECONDARY) DISPUR GUWAHATI 06

3:THE DIRECTOR OF EDUCATION
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR
PS AND DIST KOKRAJHAR
ASSAM 783370

4:THE INSPECTOR OF SCHOOLS
BAKSA
DISTRICT CIRCLE B.D.C PO AND DIST BAKSA
ASSA

Advocate for the Petitioner : MR. S Ali

Advocate for the Respondent : SC. BTC

**BEFORE
HONOURABLE MR. JUSTICE LANUSUNGKUM JAMIR**

ORDER

Date : 28.06.2024

- 1.** Heard Mr. S. Ali, learned counsel for the petitioner.
- 2.** Also heard Mr. B. Choudhury, learned standing counsel, BTC, for respondent Nos. 1, 3 & 4 and Ms. P. Das, learned standing counsel, Secondary Education Department, for respondent No. 2.
- 3.** It is the case of the petitioner that the petitioner received the graduate scale of pay w.e.f. from 01.01.2006, which is reflected in his Service Book as entered by the Head Master of N.K. Betbari M.E. School. Subsequently, the Head Master of N.K. Betbari M.E. School on 15.05.2017 wrongly recorded the date of receiving of graduate scale pay by the petitioner as 01.04.2016. The further case of the petitioner is that the Inspector of Schools, BTC, Mushalpur issued the final gradation list of teachers of provincialized High Schools on 24th of July, 2023. However, the name of the petitioner does not appear in the said final gradation list of teachers of provincialised High Schools inasmuch as his date of receiving graduate scale of pay was wrongly recorded as 01.04.2016 in his Service Book
- 4.** The petitioner, therefore, made a representation before the Inspector of Schools, Baksa, Baksa Dirstrict Circle, Mushalpur on 05.01.2024 for correction of his date of receiving graduate scale pay from 01.04.2016 to 01.01.2006.
- 5.** The grievance of the petitioner, in the present writ petition, is that his representation dated 05.01.2024 is yet to be considered by the Inspector of Schools, Baksa.

6. Learned standing counsel, BTC, submits that the representation dated 05.01.2024 is vague in nature and, therefore, the petitioner may be directed to file a fresh representation to enable the Inspector of Schools, Baksa to take appropriate steps.

7. After hearing the learned counsel for the parties, this writ petition is disposed of directing the petitioner to make a fresh representation before the Inspector of Schools, Baksa, Baksa District Circle, Mushalpur/respondent No. 4 within a period of 2 (two) weeks from today. Thereafter, the respondent No. 4 shall consider the representation to be made by the petitioner and dispose of the same by a speaking order in accordance with law within a period of 1 (one) month from the date of receipt of representation.

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

JUDGE

Comparing Assistant