

GAHC010146152024



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

Case No. : WP(C)/3739/2024

MOUSUMI BHATTACHARJEE AND 5 ORS
W/O- ARUP CHAKRABORTY, R/O- AMIYO COMPLEX, FLAT NO. 3/D, 4TH
FLOOR, 2ND LINK ROAD, SILCHAR-6, CACHAR, ASSAM, PIN- 788126.

2: RINA YADAV
D/O- JAGANNATH GOALA
R/O- 2ND LINK ROAD
LANE NO. 12
H/NO. 05
SILCHAR
CACHAR
ASSAM
PIN- 788006.

3: MANNA KISHORE DAS
S/O- LATE RAJKUMAR DAS
R/O- 2ND LINK ROAD
LANE NO. 13
H/NO. 10(A)
P.O. LINK ROAD
SILCHAR
CACHAR
ASSAM
PIN- 788006.

4: MEERA BOWRI
D/O-NABAJIBAN BOWRI
R/O-VILL. AND P.O. BINNAKANDI TE
P.S. LAKHIPUR
DIST. CACHAR
ASSAM
PIN- 788126.

5: PAWAN KUMAR TEWARI

S/O- PYARILAL TEWARI
R/O- VILL. AND P.O. NUTAN RAMNAGAR
P.S. SONAI
DIST. CACHAR
ASSAM
PIN- 788126.

6: RAMBABU GOALA
S/O- LATE LALJI GOALA
R/O- VILL.- KHALKURI
P.O. BINNAKANDI TEA ESTATE
P.S. LAKHIPUR
DIST. CACHAR
ASSAM
PIN- 788126

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, EDUCATION (SECONDARY) DEPARTMENT,
DISPUR, GUWAHATI-781006.

2:THE DIRECTOR OF SECONDARY EDUCATION
KAHILIPARA
ASSAM
GUWAHATI-781019.

3:ASSAM HIGHER SECONDARY EDUCATION COUNCIL
REPRESENTED BY ITS CHAIRMAN
BAMUNIMAIDAM
GUWAHATI-21.

4:SECRETARY TO THE ASSAM
HIGHER SECONDARY EDUCATION COUNCIL
BAMUNIMAIDAM
GUWAHATI-21.

5:THE INSPECTOR OF SCHOOLS
CACHAR
CDC
DIST. CACHAR
ASSAM
PIN- 788126

Advocate for the Petitioner : MR D C NATH

Advocate for the Respondent : SC, SEC. EDU.

**BEFORE
HONOURABLE MR. JUSTICE LANUSUNGKUM JAMIR**

ORDER

Date : 29.07.2024

Heard Mr. D. Sinha, learned counsel for the petitioners. Also heard Mr. U. Sharma, learned standing counsel, Secondary Education Department for the respondent Nos. 1, 2 and 5 and Mr. T. C. Chutia, learned standing counsel, AHSEC for the respondent Nos. 3 and 4.

2. The petitioners are subject Teachers of different subjects of Binnakandi Higher Secondary Education under Cachar district and are aggrieved with the Notification dated 6th of April, 2024, issued by the Secretary to the Assam Higher Secondary Education Council on the ground that by the said Notification, information was given to all the head of Institutions to go for on-line registration for processing admission for the academic year 2024-2025. However, when the petitioners' school submitted the application on 12.04.2024, before the concerned branch of the council for registration of the School in the "DARPAN" portal, the said portal was not open for on-line uploading the profile in respect of the petitioners' School for processing admission of students into the Higher Secondary first year class for the Session 2024-2025. It is the case of the petitioner that the petitioners' school has the Institution Code of the "DARPAN" portal in the previous session for admission of Higher Secondary first year class and also having the new Dise Code. The further case of the petitioners is that

the Deputy Secretary to the Govt. of Assam, Education (Secondary) Department by a letter dated 1st of September, 2005 addressed to the Director of Secondary Education, Assam informed that the Government has accorded permission to open first year Higher Secondary class in Arts stream in respect of the Binnakandi Higher Secondary School, Silchar, Cachar. It is therefore submitted that as the "DARPAN" portal is not accepting the on-line registration of the candidates of the petitioners' school for first year Higher Secondary class for the Session 2024-2025, no admission can be taken in the said School.

3. Mr. T. C. Chutia, learned standing counsel, Assam Higher Secondary Education Council submits that as the Government has given permission to open first year Higher Secondary class in Arts stream with regard to the petitioners' School, the petitioners may be directed to submit all necessary required documents before the Assam Higher Secondary Education Council on or before 2nd of August, 2024. He further submits that if the petitioners' School submits the required documents, there should be no impediment to allow the petitioners' school to get registration for admission to the Higher Secondary first year class for the session 2024-2025.

4. Recording the submission made by the learned standing counsel, Assam Higher Secondary Education Council, this writ petition is disposed of directing the petitioners' school to furnish all necessary required documents before the Assam Higher Secondary Education Council on or before 2nd of August, 2024. Thereafter, the Assam Higher Secondary Education Council on verification of all the documents shall permit the petitioners' School for processing on-line

admission to the Higher Secondary first year Arts stream for the Session 2024-2025.

5. With the above observations and direction, this writ petition is disposed of.

JUDGE

Comparing Assistant