

GAHC010162292024



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

Case No. : WP(C)/4101/2024

ANUPAMA DEVI
W/O SRI BASANTA KUMAR SARMA
RESIDENT OF NIZ JULUKI BARAMA, MOUJA NAMATI, DISTRICT- BAKSA,
ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM,
DEPARTMENT OF SCHOOL EDUCATION, DISPUR GUWAHATI 781006

2:THE SECRETARY TO THE GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-6

3:THE SECRETARY
EDUCATION DEPARTMENT
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR
PIN- 783370

4:THE DIRECTOR OF EDUCATION
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR
PIN- 783370

5:THE INSPECTOR OF SCHOOLS
BAKSA DISTRICT CIRCLE
MUSHALPUR
PIN- 78137

Advocate for the Petitioner : MR. S K GOSWAMI, MR. R SHARMA, MR N SARMA

Advocate for the Respondent : SC, SEC. EDU., SC, FINANCE DEPTT., SC, BTC

BEFORE
HON'BLE MR. JUSTICE LANUSUNGKUM JAMIR
ORDER

16.08.2024

Heard Mr. S.K. Goswami, learned counsel for the petitioner. Also heard Mr. U. Sharma, learned Standing Counsel, Secondary Education Department, Government of Assam, for respondent No1; Mr. A. Chaliha, learned Standing Counsel, Finance Department, Government of Assam, for respondent No.2 and Mr. B. Choudhury, learned Standing Counsel, BTC, for respondent Nos.3, 4 and 5.

2. Pursuant to the order, dated 26.06.2003, passed by this Court in WP(C) No.1026/2023, the Director of Education, BTC, Kokrajhar, passed an Order on 27.07.2023 by allowing the petitioner to temporarily hold the post of in-Charge Principal of Barama Higher Secondary School, Barama vide Shri Bharat Chandra Talukdar till regular Principal is made and the said Shri Bharat Chandra Talukdar was reverted to his original post of posting in the said School. The petitioner, accordingly, joined as in-Charge Principal of Barama HS School on 29.07.2023. Thereafter, the petitioner made an application praying for appointment as full-fledged Principal of Barama HS School, which was forwarded to the Director of Education, BTC, Kokrajhar by the Secretary, BTC, Kokrajhar by a Communication on 05.07.2024. In the said Communication, the Director of Education, BTC, Kokrajhar was also requested to submit proposal by observing all formalities as

per Government Rule at an early date for further necessary action. The petitioner again made an application on 03.08.2024 before the Secretary, Education Department, BTC, Kokrajhar for appointment as regular Principal of Barama HS School. It is the case of the petitioner that she would be superannuating with effect from 31.08.2024.

3. Learned counsel for the petitioner submits that as the petitioner will be retiring on 31.08.2024, a direction may be issued to the Secretary, Education Department, BTC/respondent No.3 to consider the representation made by the petitioner on 03.08.2024 at an early date and dispose of the same by a speaking order.

4. Mr. B. Choudhury, learned Standing Counsel, BTC, has no objections.

5. Accordingly, this writ petition is disposed of directing the respondent No.3 to consider the representation dated 03.08.2024 made by the petitioner for appointment as regular Principal of Barama HS School and dispose of the same by a speaking order and in accordance with law within a period of one week from the date of receipt of a copy of the order of this Court.

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

JUDGE

Comparing Assistant