

GAHC010163972024



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

Case No. : WP(C)/4131/2024

SAIDUR RAHMAN
S/O- RASMIL ALI, VILLAGE- HAJO PATANI, P.O.- HAJO, DISTRICT-
KAMRUP, ASSAM, PIN- 781102, PHONE NO. 9707505916

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,
DEPARTMENT OF SCHOOL EDUCATION (ELEMENTARY), DISPUR,
GUWAHATI- 781006

2:THE MISSION DIRECTOR
AXOM SARBA SIKSHA ABHIYAN MISSION
KAHILIPARA
GUWAHATI- 781019
ASSAM

3:THE DISTRICT MISSION COORDINATOR CUM DISTRICT ELEMENTARY
EDUCATION OFFICER
KAMRUP AT AMINGAON
P.O. AMINGAON
DISTRICT- KAMRUP ASSAM
PIN- 781031

4:THE BLOCK MISSION COORDINATOR CUM BLOCK ELEMENTARY
EDUCATION OFFICER
HAJO EDUCATION BLOCK
P.O. HAJO
DISTRICT- KAMRUP
ASSAM
PIN- 78110

Advocate for the Petitioner : MR Z HUSSAIN, MS B B AHMED,MR. RASHIDUL ISLAM

Advocate for the Respondent : SC, ELEM. EDU, SC, SSA

**BEFORE
HONOURABLE MR. JUSTICE LANUSUNGKUM JAMIR**

ORDER

Date : 19.08.2024

Heard Mr. Z. Hussain, learned counsel for the petitioner. Also heard Mr. B. Kaushik, learned standing counsel, Elementary Education Department for the respondent No.1 and Mr. S. Bora, learned standing counsel, SSA for the respondent Nos. 2, 3 and 4.

2. The petitioner was engaged as a Night Chowkidar in the Office of the Block Mission, Coordinator cum BEEO, Hajo w.e.f 31.12.2009. While serving as such, the petitioner was arrested in connection with Hajo P.S Case No.636/2023 under Section 188, 268/294/341/431 IPC read with section 8(B) of the N.H Act, 1956. The petitioner was granted bail on 28.11.2023. Thereafter, the petitioner appeared before the Block Elementary Education Officer cum Block Mission Coordinator, Hajo Education Block, Hajo by filing an application on 01.12.2023 with a request to permit him to join duty. The said application was forwarded by the respondent No.4 to the respondent No.3 on 05.12.2023. However, as no steps were taken to permit the petitioner to join back to duty, the petitioner made another representation on 30.05.2024 before the Mission Director, Axom Sarba Siksha Abhiyan Mission, Assam requesting to allow him to join in service and to release his salary. The said representation dated 30.05.2024 is still pending before the Mission Director SSA/respondent No.2.

3. Accordingly, this writ petition is disposed of directing the respondent No.2 to consider the representation dated 30.05.2024 made by the petitioner and dispose of the same in accordance with law within a period of 1(one) month from the date of receipt of a copy of the order of this Court.

4. With the above observations and directions, this writ petition stands disposed of.

JUDGE

Comparing Assistant