

GAHC010165872024



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

Case No. : I.A.(Civil)/2548/2024

1.BABAN DAS AND 2 ORS
S/O LATE RAMNA DAS, R/O NARSINGHPUR ROAD, P.O. AND P.S. SILCHAR-
788003, DISTRICT CACHAR, ASSAM

2: SHRI SANTANU ROY
S/O LATE JANENDRA KR ROY
R/OTARAPUR P.O. AND P.S. SILCHAR-788003
DISTRICT CACHAR ASSAM

3: SHRI TAPAN SUTRADHAR
S/O LT. MONMOHON SUTRADHAR
R/O TARAPUR NARSIGHPUR ROAD
P.O. AND P.S. SILCHAR-788003
CACHAR ASSAM

VERSUS

1.SOCIETY OF GUARDIANS, AND 7 ORS
SILCHAR COLLEGIATE SCHOOL, SILCHAR, REPRESENTED BY ITS
PRESIDENT, NAMELY MRITUNJAY CHAKRABORTY, S/O- LATE ATUL
CHANDRA CHAKRABORTY, R/O- LANE NO. 19, HOUSE NO. 17
ANANDAMOYEE LANE, VIVEKANANDA ROAD, P.O. SILCHAR, DIST.
CACHAR, ASSAM

2:THE STATE OF ASSAM
REP BY COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
SECONDARY EDUCATION DEPARTMENT
DISPUR GUWAHATI-6

3:THE DIRECTOR OF SECONDARY EDUCATION ASSAM
KAHILIPARA GUWAHATI-19.

4:THE DEPUTY COMMISSIONER CACHAR
P.O.SILCHAR DIST. CACHAR ASSAM

5:SMT. HIMASREE DEKA
EXECUTIVE MAGISTRATE CACHAR
P.O. SILCHAR DIST. CACHAR ASSAM PIN- 788001.

6:THE PRINCIPAL
SILCHAR COLLEGIATE SCHOOL
P.O. SILCHAR DIST. CACHAR
ASSAM PIN- 788001.

7:THE INSPECTOR OF SCHOOLS
CACHAR DISTRICT CIRCLES SILCHAR
P.O. SILCHAR DIST. CACHAR
ASSAM PIN- 788001.

8:SILCHAR COLLEGIATE SCHOOL
TEACHERS AND STAFF ASSOCIATION
REPRESENTED BY ITS PRINCIPAL
P.O. SILCHAR DIST. CACHAR
ASSAM PIN- 788001

Linked Case : PIL/35/2024

SOCIETY OF GUARDIANS
SILCHAR COLLEGIATE SCHOOL SILCHAR
REPRESENTED BY ITS PRESIDENT NAMELY MRITUNJAY CHAKRABORTY
S/O- LATE ATUL CHANDRA CHAKRABORTY
R/O- LANE NO. 19 HOUSE NO. 17 ANANDAMOYEE LANE
VIVEKANANDA ROAD P.O. SILCHAR DIST. CACHAR ASSAM

VERSUS

1.THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, SECONDARY EDUCATION DEPT
DISPUR GUWAHATI-6.

2:THE DIRECTOR OF SECONDARY EDUCATION ASSAM
KAHILIPARA GUWAHATI-19.

3:THE DEPUTY COMMISSIONER CACHAR
P.O.SILCHAR DIST. CACHAR ASSAM

4:SMT. HIMASREE DEKA
EXECUTIVE MAGISTRATE CACHAR
P.O. SILCHAR DIST. CACHAR ASSAM PIN- 788001.

5:THE PRINCIPAL
SILCHAR COLLEGIATE SCHOOL
P.O. SILCHAR DIST. CACHAR
ASSAM PIN- 788001.

6:THE INSPECTOR OF SCHOOLS
CACHAR DISTRICT CIRCLES SILCHAR
P.O. SILCHAR DIST. CACHAR ASSAM PIN- 788001.

7:SILCHAR COLLEGIATE SCHOOL
TEACHERS AND STAFF ASSOCIATION
REPRESENTED BY ITS PRINCIPAL
P.O. SILCHAR DIST. CACHAR ASSAM PIN- 788001.

For the Applicant(s)/Petitioner : Mr. B. Chakraborty, Advocate for the applicant in I.A.(Civil)
No.2548/2024.

: Mr. A.R. Sikdar, Advocate for the petitioner in PIL
No.35/2024

For the Respondent(s) : Mr. A.R. Sikdar, Advocate for respondent No.1 in I.A.(Civil)
No.2548/2024.

: Mr. R. Mazumdar, Standing Counsel, Secondary Education
Department.

: Ms. R.B. Bora, Government Advocate, Assam.

: Mr. P.K. Roy, Senior Advocate assisted by Mrs. A.
Chakraborty, Advocate for respondent Nos.6 and 8 in I.A.
(Civil) No.2548/2024 and for respondent Nos.5 and 7 in PIL
No.35/2024.

– BEFORE –

HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE SUMAN SHYAM

02.09.2024

(Vijay Bishnoi, CJ)

The matter comes upon for consideration of the instant Interlocutory Application [I.A.(Civil) No.2548/2024], preferred on behalf of the applicants, namely, (1) Shri Baban Das, (2) Shri Santanu Roy and (3) Shri Tapan Sutradhar,

with a prayer to implead them as party respondents in PIL No.35/2024.

In PIL No.35/2024, the petitioner Society has raised an issue regarding induction of certain persons in School Management and Development Committee (SMDC) of Silchar Collegiate School, Silchar. The applicants have filed this application stating that they are directly going to be affected with any order that may be passed by this Court in PIL No.35/2024 since they are the guardians of some of the wards studying in the said School.

Taking into consideration the above facts and circumstances of the case, we deem it appropriate to allow this Interlocutory Application and direct the petitioner Society to implead the applicants, namely, (1) Shri Baban Das, (2) Shri Santanu Roy and (3) Shri Tapan Sutradhar, as party respondent Nos.8, 9 and 10, respectively, in PIL No.35/2024.

Copy of the writ petition (PIL) along with the requisite documents be supplied to the newly impleaded respondent Nos.8, 9 and 10 during the course of the day.

Learned counsel for the petitioner is also directed to file amended cause-title of PIL No.35/2024 within a period of 3(three) days.

Registry is directed to list PIL No.35/2024 after filing of the amended cause-title.

The instant Interlocutory Application is, accordingly, disposed of.

JUDGE

CHIEF JUSTICE

Comparing Assistant