

GAHC010196972024



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

Case No. : WP(C)/4905/2024

MD. ANWAR HUSSAIN
SON OF LATE HAFIZ ABDUR ROUF,
RESIDENT OF VILL- KABARIBOND,
P.O.- PATHARKANDI, P.S.- PATHARKANDI,
DIST- KARIMGANJ, ASSAM, PIN- 788724.

VERSUS

THE STATE OF ASSAM AND 5 ORS
TO BE REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF
ASSAM,
DEPARTMENT OF SCHOOL (SECONDARY) EDUCATION,
DISPUR, GUWAHATI-06.

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

3:THE INSPECTOR OF SCHOOLS
KARIMGANJ DISTRICT CIRCLE
KARIMGANJ
ASSAM.

4:THE ALIGARH MUSLIM UNIVERSITY
ALIGARH
UTTAR PRADESH
PIN- 202002.
(TO BE REPRESENTED BY ITS REGISTRAR).

5:THE PRINCIPAL

ASIMIA HIGHER SECONDARY SCHOOL
NALUGAON
PATHERKANDI

DIST.- KARIMGANJ
ASSAM.

6:ABUL HUSSAIN MD. LUQMAN
SON OF MD. ASHAHID ALI

RESIDENT OF VILL- HIZIM

P.O.- DASGRAM
DIST.- KARIMGANJ

ASSAM
PIN- 788722

Advocate for the Petitioner : MR. A R BHUYAN, MR N Z CHOUDHURY,MR S ABDULLAH

Advocate for the Respondent : SC, SEC. EDU.,

BEFORE
HON'BLE MR. JUSTICE LANUSUNGKUM JAMIR

23.09.2024

O R D E R

Heard Mr. A.R. Bhuyan, learned counsel for the petitioner. Also heard Mr. U. Sharma, learned Standing Counsel, Secondary Education Department, Government of Assam, for respondent Nos.1, 2 and 3.

The petitioner is presently serving as Assistant Teacher of Asimia Higher Secondary School in the district of Karimganj.

It is the case of the petitioner that Principal of Asimia Higher Secondary School would be retiring on 30.09.2024 and the petitioner claims to have a right for being considered for the post of in-Charge Principal of the said Asimia Higher

Secondary School. To that effect, the petitioner made a representation to the Director of Secondary Education, Assam through the Inspector of Schools, KDC, Karimganj on 03.09.2024. The said representation was forwarded to the Director of Secondary Education, Assam/respondent No.2 on 10.09.2024 by the Inspector of Schools, KDC, Karimganj.

Learned counsel for the petitioner submits that the petitioner would be satisfied if a direction is given to the respondent No.2 to consider the representation made by the petitioner.

Mr. Sharma, learned Standing Counsel, Secondary Education Department, has no objections.

Accordingly, this writ petition is disposed of directing the respondent No.2 to consider the representation made by the petitioner by hearing all the stakeholders including the petitioner as well as the respondent No.6/Abul Hussain Md. Luqman and dispose of the same by a speaking order and in accordance with law within a period of one month from the date of receipt of a copy of this Court's order.

Till the representation is disposed of, the respondent No.2 shall make alternative arrangement for holding the post of in-Charge Principal of the said Asimia Higher Secondary School, Karimganj.

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

JUDGE