

GAHC010213782023



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

Case No. : WP(C)/5607/2023

ALEYA BANU LASKAR
W/O- ABDUL MALIK MAZUMDER,
R/O- HAILAKANDI TOWN, WARD NO-1,
P.O AND DIST- HAILAKANDI, ASSAM, PIN-788151

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, DEPARTMENT OF SCHOOL EDUCATION, DISPUR, GHY-06.

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

3:THE DISTRICT ELEMENTARY EDUCATION OFFICER

HAILAKANDI
P.O. AND P.S.-HAILAKANDI
DIST- HAILAKANDI
ASSAM
PIN-788151

4:THE DEPUTY COMMISSIONER
HAILAKANDI
DIST- HAILAKANDI
ASSAM
PIN-788151

5:THE DEPUTY INSPECTOR OF SCHOOLS

HAILAKANDI
DIST- HAILAKANDI
ASSAM
PIN-788151

6:THE BLOCK ELEMENTARY EDUCATION OFFICER

HAILAKANDI
DIST- HAILAKANDI
ASSAM
PIN-78815

Advocate for the Petitioner : MR. S B LASKAR, MS D DUTTA,MS N KALITA,MR. H A LASKAR

Advocate for the Respondent : GA, ASSAM, SC, ELEM. EDU

BEFORE
HONOURABLE MR. JUSTICE LANUSUNGKUM JAMIR

ORDER

Date : 12.08.2024

Heard Mr. H. A. Laskar, learned counsel for the petitioner. Also heard Mr. B. Kaushik, learned standing counsel, Elementary Education Department for the respondent Nos. 1, 2, 3, 5 and 6 and Mr. B. Deuri, learned Govt. Advocate for the respondent No.2.

2. The petitioner while serving as Assistant Teacher of 487 No. Bandukmara Grant L. P. School was placed under suspension with immediate effect by an order dated 23.03.2017, issued by the Deputy Inspector of Schools, Hailakandi. Thereafter, the petitioner was reinstated back into service and temporarily allowed to work at 120 No. Vichingcha L. P. School by an order dated 19.12.2022, issued by the Deputy Inspector of Schools, Hailakandi. Thereafter,

departmental proceeding was initiated against the petitioner. As there was no further progress after initiation of the departmental proceeding, the petitioner is before this Court praying for a director to regularise the suspension period w.e.f 23.03.2017 to 19.12.2022 and also to release the petitioner's arrear salary w.e.f 23.03.2017 to 19.12.2022.

3. Mr. B. Kaushik, learned standing counsel, Elementary Education Department submits that the Enquiry Officer has submitted the Enquiry Report. He also submits that the Director of Elementary Education, Assam by a Communication dated 09.08.2024, has stated that appropriate orders pursuant to the Enquiry Report submitted by the Deputy Inspector of Schools, Hailakandi would be issued at the earliest.

4. Recording the submission made by the learned standing counsel, Elementary Education Department this writ petition is disposed of directing the Director of Elementary Education, Assam to pass appropriate orders in accordance with law pursuant to the Enquiry Report submitted by the Deputy Inspector of Schools, Hailakandi within a period of 3(three) weeks from the date of receipt of a copy of the order of this Court.

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

JUDGE

Comparing Assistant