

GAHC010241962017



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

Case No. : WP(C)/6222/2017

MINU VARUGHESE
ASSISTANT TEACHER, DR. K K DAS MEMORIAL GIRL'S HIGH SCHOOL,
P.O- CHAITANYA NAGAR, DIST- BARPETA, PIN- 788701

VERSUS

THE STATE OF ASSAM and 4 ORS.
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM,
EDUCATIONSECONDARYDEPARTMENT, DISPUR, GHY- 6

2:THE DIRECTOR OF SECONDARY EDUCATION

ASSAM
KAHILIPARA
GHY- 19

3:THE INSPECTOR OF SCHOOLS
BARPETA DIST CIRCLE
BARPETA ROAD
DIST- BARPETA

4:ABUL KASHEM
ASSTT. TEACHER
DR. K K DAS MEMORIAL GIRL'S HIGH SCHOOL
P.O- CHAITANYA NAGAR
DIST- BARPETA
PIN- 788701

5:GAUHATI UNIVERSITY
GUWAHATI
REP. BY ITS REGISTRAR
JALUKBARI

GUWAHATI- 1

Advocate for the Petitioner : MR.S K DAS

Advocate for the Respondent : SC, G U

Linked Case : WP(C)/5678/2017

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DR. K K DAS MEMORIAL GIRL'S HIGH SCHOOL
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GUWAHATI REP. BY ITS REGISTRAR
JALUKBARI
GUWAHATI- 14

Advocate for : MRR KARIM

Advocate for : MR.E HUSSAINR-4 appearing for THE STATE OF ASSAM and 4
ORS.

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 15.02.2024

Heard Mr. D. Barman, learned counsel for the petitioner. Also heard Mr. U. Sharma, learned Standing Counsel, Higher Education Department for the respondent Nos. 1 & 2, Mr. M.S. Mondal, learned counsel for the respondent No. 4 and Mr. J. Rahman, learned counsel appearing on behalf of Mr. P.J. Phukan, learned Standing Counsel, Gauhati University for respondent No. 5.

The learned counsel for the petitioner Mr. D. Barman submits that the respondent No. 4 had obtained B.Ed Degree and M.A. Degree in the year 2012 and he has been granted B.Ed. increment before he obtained B.Ed. Degree. Due to such granting of B.Ed. increment she had been illegally allowed to hold the charge of Headmistress depriving the petitioner. However, at this point of time, the respondent No. 4 has already retired and the respondent No. 4 has handed over the charge to one Sri Gunindra Nath Ojha.

Be that as it may, the learned counsel for the parties has conceded that the matters have become infructuous.

The learned counsel for the petitioner has prayed for liberty to approach this Court if she is not considered for appointment as Headmistress in accordance with law.

In view of above, both the writ petitions are disposed of on being infructuous. Needless to observed that the petitioner would be at liberty to approach this Court again if she has any grievance that may be permissible under law.

JUDGE

Comparing Assistant