

GAHC010243812023



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

Case No. : Cont.Cas(C)/665/2023

NIRMAL CHANDRA SARKAR
S/O SRI JAYARAM SARKAR, R/O VILL- NO. 2 BURGAON, P.O.-BURGAON,
DIST-MORIGAON, ASSAM, PIN-782411

VERSUS

Narayan Konwar,ACS
SECRETARY TO THE GOVERNMENT OF ASSAM, ELEMENTARY
EDUCATION DEPARTMENT, DISPUR, GUWAHATI-781006, ASSAM

Advocate for the Petitioner : MR S ISLAM, MR. S BISWAS

Advocate for the Respondent : ,

BEFORE
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK
O R D E R

03.10.2024

Heard Mr. S. Islam, learned counsel for the petitioner as well as Mr. S.M.T. Chistie, learned Standing Counsel, Department of School (Elementary) Education, Assam, for the sole respondent/contemner.

2) Matter relates to non-compliance/wilful disobedience of the order dated

10.08.2022 passed in WP(C) No. 1606/2021, by which the Court directed the Secretary in the Elementary Education Department to dispose of the appeal preferred by the petitioner under Section 14 of the Assam Education (Provincialisation of Services of Teachers and Re-organisation of Educational Institutions) Act, 2017.

3) During the pendency of the matter, Mr. S.M.T. Chistie, learned counsel for the sole respondent/contemner placed the copy of the order dated 03.05.2023, passed by Secretary, Government of Assam, Department of School Education, by which the said authority rejected the appeal of the petitioner and also rejected the claim of the petitioner for provincialisation of his service under the said 2017 Act.

4) As such, the sole respondent/contemner have compiled the order of the Court dated 10.08.2022 passed in WP(C) No. 1606/2021.

5) Hence, this contempt petition, being devoid of merit, stands dismissed.

6) The notice of contempt issued earlier on the sole respondent on 07.02.2024 is hereby recalled.

7) Copy of the order dated 03.05.2023 of the Secretary, Government of Assam, Department of School Education, be kept as a part of the record.

JUDGE