

GAHC010258102023



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

Case No. : I.A.(Civil)/3362/2023

THE GOVERNING BODY, COLLEGE OF EDUCATION, BOKO AND 2 ORS.
REPRESENTED BY ITS PRESIDENT,
COLLEGE OF EDUCATION, BOKO,
DIST. KAMRUP, ASSAM,
PIN- 781123.

2: THE SPONSORING COMMITTEE
COLLEGE OF EDUCATION
BOKO
REPRESENTED BY ITS PRESIDENT

DIST.- KAMRUP
ASSAM

PIN- 781123.

3: THE SECRETARY
SPONSORING COMMITTEE
COLLEGE OF EDUCATION
BOKO
KAMRUP
ASSAM
PIN 781123

VERSUS

THE STATE OF ASSAM AND 2 ORS.
REPRESENTED BY THE SECRETARY, DEPARTMENT OF HIGHER
EDUCATION, ASSAM, DISPUR, GUWAHATI- 781006.

2: THE GAUHATI UNIVERSITY
REPRESENTED BY THE REGISTRAR

GAUHATI UNIVERSITY

JALUKBARI

KAMRUP(METRO)
ASSAM

PIN- 781014.

3:DR. MERRY CHOUDHURY
D/O- LATE RABINDRA CHOUDHURY

RESIDENT OF VILL.- CHOUKHUTY (NEAR CHOUKHUTY HIGH SCHOOL)

P.S.- PATACHARKUCHI

DIST.- BARPETA
ASSAM

PIN- 781325

Advocate for the Petitioner : MR. M KHAN

Advocate for the Respondent : SC, HIGHER EDU

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

23.01.2024

Heard Mr. M. Khan, learned counsel for the applicants. Also heard Mr. N.N. Jha, learned counsel for the respondent no.3.

By filing this application the applicants have made a prayer to fill up the post of Principal of College of Education, Boko.

Having heard the learned counsel for the parties and upon perusal of the pleadings in the application, this Court is of the opinion that the present

Interlocutory Application can be disposed of with some modification of the interim order passed on 28.07.2023 in WP(C) no.4162/2023.

Accordingly, any appointment that is made to the post of Principal of College of Education, Boko shall be subject to the outcome of the writ petition and such appointment shall not be confirmed without the leave of this Court. Further any claim of the respondent no.3 to the post of Principal of the College of Education, Boko, will not be prejudiced by her joining in the post of Head of Department (HoD) in North Lakhimpur College pursuant to the selection conducted by the competent authority of the North Lakhimpur College.

To that extent the interim order passed by this Court on 28.07.2023 in WP(C) No.4162/2023 stands modified.

Interlocutory Application stands disposed of.

JUDGE

Comparing Assistant