

GAHC030002232022



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

Case No. : WP(C)/112/2023

Sh. A. Lalrinawma and 18 Ors.
S/o A. Koichangrai
R/o Kawrthindeng
Lawngtlai District
Mizoram

2: Sh. Bama Chondro
S/o Sidarai
R/o Tuisentlang
Lawngtlai District
Mizoram

3: Sh.T. Zirhmingliana
S/o T. Chhuankhupa
R/o Mautlang
Lawngtlai District
Mizoram

4: Sh. Lalnuntluanga
S/o H. Chalkhuma
R/o Chawnhu
Lawngtlai District
Mizoram

5: Sh. Nabin Kumar
S/o Anirudra
R/o Jognasury
Lawngtlai District
Mizoram

6: Smt. T. Lalbiakngeni
D/o Piangala
R/o Hmunlai
Lawngtlai District

Mizoram

7: Sh. Santi Moy
S/o Purno Kumar
R/o Bolisora
Lawngtlai District
Mizoram

8: Sh. FC Kawnga
S/o Chungliana
R/o Sumsilui
Lawngtlai District
Mizoram

9: Sh. Sadhan Kumar Chakma
S/o Dino Muni Chakma
R/o Sumsilui
Lawngtlai District
Mizoram

10: Sh. Anonto Dey
S/o Grita Ranjan
R/o Sakeilui-2
Lawngtlai District
Mizoram

11: Sh. B. Lalthangena
S/o B. Chuandoa
R/o Mautlang
Lawngtlai District
Mizoram

12: Sh. Lalrinpuia
S/o Nitirai
R/o Saibawh
Lawngtlai
Mizoram

13: Sh. Zodinpuia
S/o Rangkiha
R/o Lunghauka
Lawngtlai District
Mizoram

14: Sh. Proboth Kumar
S/o Banuaram
R/o Sumsilui
Lawngtlai District

Mizoram

15: Sh. Lalrinmawia
S/o Thandarai
R/o Zochachhuah
Lawngtlai District
Mizoram

16: Sh.C.Biakthanpuia
S/o C. Dohmunga
R/o Ngengpuitlang
Lawngtlai District
Mizoram

17: Sh. Robichand
S/o Mandarai
R/o Saibawh
Lawngtlai District
Mizoram

18: Sh. JC Thanga
S/o Saithatngura
R/o Vathuampui
Lawngtlai District
Mizoram

19: Smt. Huanmawikimi
D/o R. Zawlsuakngura
R/o Chamdurtlang-I
Lawngtlai District
Mizoram
VERSUS

Lai Autonomous District Council (LADC) and 3 Ors.
R/b The Chief Executive Member
LADC
Lawngtlai
Mizoram

2:The Executive Member
i/c Education
Lai Autonomous District Council
Lawngtlai
Mizoram

3:The Executive Secretary
Lai Autonomous District Council
Lawngtlai

Mizoram

4:The Education Officer
Lai Autonomous District Council
Lawngtlai
Mizoram

Advocate for the Petitioner : Mr. Joseph Lalchhanhima Renthlei
Advocate for the Respondent : Mr. Lalpianfela Chawngthu for R1-R4

ORDER

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO**

26.02.2024

Heard Mr. Joseph L. Renthlei, learned counsel for the petitioners.

[2.] The petitioners by filing this writ petition have sought for a direction to the respondents to consider them for absorption in terms of the relevant provision of Lai Autonomous District Council, Education & Human Resources Development (Group 'B' & 'D') Recruitment Rules, 2020. The learned counsel submits that as per the Rules of 2020, 20% of the post of Primary School Teachers have to be filled by way of absorption on the basis of seniority but instead of following the said provision, the respondent authorities have floated an Advertisement on 09.08.2023 prescribing certain criteria such as B.Ed or Diploma in Elementary Education for filling up the post of Primary School Teacher and also the method of absorption through interview, which otherwise is not prescribed in the Rules

of 2020.

[3.] Mr. Lalpianfela Chawngthu, learned counsel for the respondents submits that he has instructions to apprise the Court that the respondent authorities will be considering the case of the petitioners for absorption as per the Rules of 2020. The learned counsel submits that under the National Council For Teacher Education (Determination of Minimum Qualifications for Recruitment of Teachers in Schools) Regulations, 2001, the minimum academic and professional qualifications has been prescribed and that the respondents will be considering the case of the petitioners in terms of the said prescription. He further submits that even in the case of those petitioners who have otherwise not obtain the required Diploma Certificate in Elementary Teachers Training etc., they will be given some time to acquire such qualification.

[4.] Mr. Joseph L. Renthlei, learned counsel for the petitioners submits that if such is the stand of the State respondents, the petitioners would not like to press the writ petition. He however submits that the petitioners may be granted liberty to approach this Court again in case the same is required.

[5.] Having regard to the submissions made, the writ petition stands closed as not pressed. However, the petitioners are given liberty to approach this Court once again, if so advised.

[6.] Writ petition accordingly stands disposed of.

JUDGE

Comparing Assistant