GAHC010114282019

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

Case No. : WP(C)/3450/2019

BAGEN NGATEY
ASSTT. TEACHER, NAHARANI KULI L.P.SCHOOL, S/O- PADMESWARI NGETY, R/O- VILL- JAMUKANI, P.O. MATIKHULA, DIST- DHEMAJI, ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS.
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, EDUCATION (ELEMENTARY) DEPTT., DISPUR, GHY-6

2:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GHY-19

3:THE DISTRICT ELEMENTARY EDUCATION OFFICER
DHEMAJI
DIST- DHEMAJI
ASSAM

4:THE DY. INSPECTOR OF SCHOOLS
DHEMAJI
DIST- DHEMAJI
ASSAM

5:THE BLOCK ELEMENTARY EDUCATION OFFICER
DHEMAJI
DIST- DHEMAJI
ASSAM

6:THE SECY. TO THE GOVT. OF ASSAM
FINANCE DEPTT.

DISPUR
GHY-

Advocate for the Petitioner : MR. N BORAH

Advocate for the Respondent : SC, ELEM. EDU

Linked Case : WP(C)/2286/2018

MRS. MINAKSHI BEZBORUAH AND 20 ORS.
W/O. UTPOL MONI KONDALI
R/O. EAST AMOLAPATTY
NEAR RELIANCE TOWER
DIST. NAGAON
ASSAM

2: MRS. NABANITA BORA

W/O. NIROD KUMAR BARUAH
R/O. SOTI JYOMOTI PATH
SOUTH HAIBOR GAON
HAIBORGAON
DIST. NAGAON
ASSAM.

3: MRS. MONALISA BORA

D/O. LT. UMESH CHANDRA BORA
R/O. B.M. ROAD
AMOLAPATTY
NAGAON
P.O. SADAR
DIST. NAGAON
ASSAM.

4: MRS. RITUMONI BORA

W/O. LT. DHYAN MONI NATH
R/O. SOUTH HAIBOR GAON
R.R. B. ROAD
P.O. HAIBORGAON
DIST. NAGAON
ASSAM.

5: MRS. MANIKUNTALA SAIKIA
W/O. MANAS BARUAH
VILL. GARHMARI
NEAR COLLEGE OF FISHERIES
P.O. AND P.S. RAHA
DIST. NAGAON
ASSAM

6: MRS. NABANITA HAZARIKA

W/O. SARANGA PANI SAIKIA
VILL. PUB SENCHOWA
A.T. ROAD
INFRONT OF AKASH MUNDAI
P.O. SENCHOWA
P.S. SADAR
DIST. NAGAON
ASSAM

7: MRS. RASHMI REKHA DEKA

W/O. DHRUBAJIT BHUYAN
VILL. AND P.O. DIGHALIATI (RAHA)
P.S. RAHA
DIST. NAGAON
ASSAM

8: MRS. JURI BAIRAGI

W/O. PRABIN BAIRAGI
R/O. PURANI GOWDAN
GOROMUR
P.O. PURANI GOWDAN
P.S. SAMAGURI
DIST. NAGAON
ASSAM

9: DIBYAJYOTI SAIKIA

S/O. BANGSHIDHAR SAIKIA
VILL. JALAH GAON
P.O. HALWA
P.S. SAMAGURI
DIST. NAGAON
ASSAM

10: MD. SHAHJAHAN ALI

S/O. NASAR UDDIN AHMED
VILL. FURHANI ATI
P.O. LETERIPAR (BAZAR)
P.S. JURIA
DIST. NAGAON
ASSAM.

11: SRI DHRUBA JYOTI DAS

S/O. DILIP CHANDRA DAS
R/O. RAM KRISHNA ROAD
NEAR MANASHA MANDIR
P.O. NAGAON
P.S. SADAR
WARD NO. 11
DIST. NAGAON
ASSAM.

12: NABARUN MAZUMDAR

S/O. BHARAT CHANDRA MAZUMDAR
VILL. AND P.O. BALIGAON
DIST. NAGAON
ASSAM.

13: RAJEN SAIKIA

S/O. LT. ADHAN CH. SAIKIA
R/O. PANI GAON
NETAJI PATH
WARD NO. 23
P.O. ITACHALI
DIST. NAGAON
ASSAM.

14: MRS. JYOTI BHATTACHARJEE

W/O. MRINAL JYOTI SHARMA
VILL. ANANDA NAGAR
P.O. SADAR
P.S. NAGAON
DIST. NAGAON
ASSAM

15: JAYANTA KUMAR SAIKIA
S/O. BIHURAM SAIKIA
VILL. RAIDONGIA
P.O. ALBHETI

P.S. JAJORI
DIST. NAGAON
ASSAM

16: MRS. SOBHA RANI BARUAH
W/O. PRADIP KUMAR BARUAH
VILL. MAZARATI
P.O. HAZARATI
P.S. HAIBORGAON
DIST. NAGAON
ASSAM

17: MOZIBUR RAHMAN
S/O. ABDUL MANNAN
VILL. PUTHIKAITI
P.O. KHOIMARI
P.S. RUPAHI
DIST. NAGAON
ASSAM

18: MRS. JAYATI CHAKRABORTY

W/O. PARTHA SAROTHI SENGUPTA
VILL. SANKAR MISSION ROAD
NEAR POWER HOUSE
LANE NO. 3
HOUSE NO. 333
P.O. ITACHALI
DIST. NAGAON
ASSAM

19: SADIQUE RAHMAN

S/O. LT. INTAZ ALI
VILL. TINSUKIA
P.O. TINSUKIA (JURIA)
P.S. JURIA
DIST. NAGAON
ASSAM

20: MRS. RIJUMONI KOCH

W/O. JITU MONI BORAH
VILL. BALJURI CHARIALI
P.O. CHAPANALA
P.S. SAMAGURI
DIST. NAGAON
ASSAM

21: UTPAL DEKA
S/O. LT. DIBAKAR DEKA
R/O. KAMPUR
WARD NO. 3
P.O. AND P.S. KAMPUR
DIST. NAGAON
ASSAM
VERSUS

THE STATE OF ASSAM AND 4 ORS.
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM
EDUCATION (SECONDARY) DEPTT.
DISPUR
GHY.

2:THE DIRECTOR OF SECONDARY EDUCATION

ASSAM
KAHILIPARA
GHY.

3:THE COMMISSIONER AND SECY.
TO THE GOVT. OF ASSAM
DEPTT. OF FINANCE
DISPUR
GHY.

4:THE INSPECTOR OF SCHOOLS

NAGAON
ASSAM.

5:THE HEADMASTER

GOVT. URBAN HIGH SCHOOL
M.G. ROAD
NAGAON
ASSAM

Advocate for : MS D BORGOHAIN
Advocate for : SC
SEC. EDU. appearing for THE STATE OF ASSAM AND 4 ORS.: Advocate SC
SEC. EDU.,

SC
FINANCE,

SC
SEC. EDU.,

, appearing for 2,

3,

4,

5, respectively.

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

Date : --

Heard Ms. D. Borgohain, learned counsel for the petitioner and Mr. S.M.T. Chisty, learned counsel appearing for the respondent, Secondary Education Department.

It is submitted by the Ms. Borgohain that this writ petition was filed as the petitioners wereaggrieved by the decision of the Governmentauthorities to deny themthe graduate scale of pay which they were entitled to under the Assam services (Revision of Pay) Rules 2017.

The petitioners were initially working as Assistant Teachers in Government Urban Basic School, which is an M.E. School in the District ofNagaon.By notification dated 24.02.2017, the Government Urban Basic School was amalgamated with the Government Urban High School as per Sikshakhetra Scheme, promulgated by office memorandum dated 22.09.2016. Pursuant to the amalgamation of two schools, the petitioners were re-designated as AssistantTeachers of the Government Urban High School.

The petitioners in the present writ petition are aggrieved by the fact that their graduate scale was reduced from October/2017, on the ground that their pay had been wrongly fixed in the graduate scale. Subsequently, the matter was referred by the department to the Anomaly Committee.

Pursuant to the decision of the Anomaly Committee, the issue was resolved and the petitioners have been receiving graduate scale as per R.O.P Assam Services(Revision Pay)Rules 2017.

Accordingly, it is submitted at the bar that the grievances projected through the present writ petition has been resolved by the department. The learned counsel for the petitioner therefore submits that she has instructions not to proceed with the matter further.

In view of the above, the writ petition is disposed of as not pressed.

Needless to say if any issue relating to the graduate pay scale in respect of the petitioner remains unresolved they will be at liberty to approach this Court again, if the occasion so arises.

JUDGE

Comparing Assistant