GAHC010184592020

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

Case No. : WP(C)/5554/2020

GAUTAM ROY MODEL M. E. SCHOOL AND ANR
VILL- NEZVERNERPUR (NUNAIKHAL GRANT), P.O. VERNERPUR, DIST.- HAILAKANDI, ASSAM, PIN- 78155, REP. BY ITS HEADMASTER, SRI MOIN UDDIN BARBHUIYA

2: MOIN UDDIN BARBUIYA
S/O- ABU BAKKAR BARBHUIYA
R/O- RATANPUR PART-1
P.O. RATANPUR
DIST.- HAILAKANDI
ASSAM
PIN- 78815

VERSUS

THE STATE OF ASSAM AND 4 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
HAILAKANDI
ASSAM
PIN- 788151

4:THE BLOCK ELEMENTARY EDUCATION OFFICER
LALA
HAILAKANDI
ASSAM
PIN- 788151

5:THE DY. COMMISSIONER
HAILAKANDI
ASSAM
PIN- 78815

Advocate for the Petitioner : MR. A DEKA

Advocate for the Respondent : SC, ELEM. EDU

BEFORE
HONOURABLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA

O R D E R

21.12.2020

Heard Mr. A Deka, learned counsel for the petitioner, Mr. NJ Khataniar, learned counsel for the Elementary Education Department and Mr. B Deori, learned counsel for the respondent Deputy Commissioner, Hailakandi.

The claim of the petitioner for provincialisation under The Assam Education (Provincialisation of Services of Teachers and Re-organization of Educational Institutions) Act, 2017 was rejected by the District Level Scrutiny Committee of Hailakandi district. It is stated that under section 14 of the Act of 2017, a statutory appeal is maintainable against the order of rejection of the District Level Scrutiny Committee.

The petitioner accordingly given the liberty to file the statutory appeal before the authorities as prescribed under section 14 of the Act of 2017.

On the appeal being filed, it is expected that it will be given a due consideration within the acceptable period of time. The petitioner would be at liberty to take any ground before the appellate authority as may be advised.

Writ petition stands closed.

JUDGE

Comparing Assistant