GAHC010203072016

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

Case No. : WP(C)/1961/2016

ABBAS UDDIN CHOUDHURY
S/O- ABDUL KHALEQUE CHOUDHURY, VILL.- RONGPUR PART- I, P.O.- APPIN, P.S.- LALA, DIST.- HAILAKANDI, ASSAM, PIN- 788161.

VERSUS

THE STATE OF ASSAM AND 5 ORS
REP. BY THE COMMISSIONER and SECY. TO THE GOVT. OF ASSAM, SECONDARY EDUCATION DEPTT., DISPUR, GHY- 6.

2:THE DIRECTOR OF MADRASSA EDUCATION
ASSAM

3:THE DY. COMMISSIONER
HAILAKANDI

4:THE PRESIDENT

5:THE SUPERINTENDENT CUM SECY. OF SELECTION BOARD

6:FARUQUE AHME

Advocate for the Petitioner : MD. J H KHAN

Advocate for the Respondent : MR. J LASKAR (R5)

BEFORE
HONOURABLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA

ORDER

Date : 27-11-2020

None appeared for the petitioner when the matter was called on 19.11.2020. By the order dated 19.11.2020 we have taken note that the petitioner assails the selection and appointment of the respondent No.3 as a librarian in the Basatila Senior Madrassa by raising two contention, firstly, the respondent No.6 did not participate in the process and the President of the school managing committee of the Madrassa concerned had not approved and signed the select list.

2. We have perused the affidavit in opposition filed by the Superintendent Cum Secretary of Selection Board, wherein, the select list that was approved had been annexed.

3. From the reading of the said document, it was discernible that the respondent No.6 had infact appeared in the selection process and secured the highest mark and the select list was duly signed by the school managing committee.

4. On the basis of such record, a prima facie satisfaction was arrived that both the contention raised by the petitioner are incorrect and contrary to the records. However as none appeared for the petitioner, the matter was again ordered to be listed on 20.11.2020. On 20.11.2020, it was stated that the learned counsel for the petitioner Mr. K.A. Mazumder had some personal inconvenience and therefore, did not appear.

5. It was then ordered that the matter be fixed on 27.11.2020. Today also none appears for the petitioner. As the claim made by the petitioner had been appropriately answered by the respondent in their affidavit and no counter reply had been given by the petitioner to the same, we do not find any merit in the writ petition.

6. Writ petition stands closed.

Interim order, if any, passed earlier stands vacated.

JUDGE

Comparing Assistant