GAHC010067972026

2026:GAU-AS:5093

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

Case No. : WP(C)/1962/2026

SRI MANESWAR BORO AND ANR
ASSISTANT TEACHER OF UTTAR BETNA HIGHER SECONDARY SCHOOL, AGE ABOUT- 46 YEARS, S/O- LATE MADAN BORO, RESIDENT OF VILL- DIGHALI PAR, P.O- MAHARIPARA, IN THE DISTRICT OF TAMULPUR, ASSAM, PIN- 781364

2: SMTI MANJU RABHA
SUBJECT TEACHER OF TAMULPUR HIGHER SECONDARY SCHOOL
AGE ABOUT- 55 YEARS
C/O BHABEN RABHA
RESIDENT OF VILL- BAREIGAON
TAMULPUR
P.O- TAMULPUR
IN THE DISTRICT OF TAMULPUR
ASSAM
PIN-78136

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM, SECONDARY EDUCATION DEPARTMENT, DISPUR, GUWAHATI, PIN- 781006.

2:THE DIRECTOR OF SECONDARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI
IN THE DISTRICT OF KAMRUP (M)
ASSAM

PIN-781019.

3:THE DIRECTOR OF EDUCATION
B.T.R.
KOKRAJHAR
BTR
ASSAM
PIN- 783370.

4:THE INSPECTOR OF SCHOOLS
BAKSA DISTRICT CIRCLE
MUSHALPUR
DISTRICT BAKSA
ASSAM
PIN - 78137

Advocate for the Petitioner : MR. M KALITA, MR M BASUMATARI,MR. N M DAS,MR. J HATIMURIA

Advocate for the Respondent : SC, SEC. EDU., SC, BTC

BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO

ORDER

Date : 07-04-2026

Heard Mr. M Kalita, learned counsel of the petitioners, who submits that the petitioners by filing this writ petition has sought for a direction to the respondent authorities concerned to grant them one advance increment for having B.Ed degree in terms of the Office Memorandum dated 07.03.1998 issued by the Finance (Establishment-A) Department, Government of Assam (Annexure-3).

[2.] The learned counsel submits that the petitioners have approached the

respondent authorities concerned in this regard by submitting representations, but the same has not been considered. Therefore, the petitioners are before this Court.

[3.] The learned counsel submits that similarly situated persons have approached this Court through WP(C) 4043/2024 and this Court, vide order dated 14.08.2024 had disposed of the said writ petition by directing the respondents to verify the claim of the petitioner therein and if it was found so that the petitioner is eligible, they are to grant the petitioner the benefit of one advance increment.

[4.] The learned counsel submits that since the present petitioners are similarly situated with that of the petitioner in WP(C) 4043/2024, a similar order may also be passed in this case.

[5.] Ms. N Choudhury, learned counsel for the respondent Nos. 3 & 4 and Ms. NM Sharma, learned Standing, Secondary Education Department submit that if the present petitioners are eligible, as claimed by them, they would be entitled to one advance increment. However, before grant of such benefits, there has to be a verification.

[6.] Considering the above submissions, this writ petition is disposed of by directing the respondent authorities concerned to verify the claim of the petitioners about having acquired B.Ed degree and upon such verification, if they are found to be entitled to one advance increment in terms of the Office Memorandum dated 07.03.1998, they should be given such benefit within a period of 4 (four) weeks from the date of receipt of a certified copy of this order. It is stated that the petitioners are working under the Administrative control of

the BTR and therefore, the Director of Education, BTR, Kokrajhar (respondent No. 3) shall do the needful, as directed herein above.

JUDGE

Comparing Assistant