

GAHC010273692025



2026:GAU-AS:179

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

Case No. : WP(C)/27/2026

WAHIDA KHATUN AND 16 ORS.
ASSTT. TEACHER ARABIC OF DAKHIN DHANIABHETI ME MADRASSA,
D/O MD. NASIR UDDIN
VILL- DHANIABHETI,P.O. DHANIABHETI, DIST. NAGAON, ASSAM

2: FATIMA KHATUN
ASSTT. TEACHER (ARABIC) OF KHUTERIA KHATI ME MADRASSA

D/O SIRAJUL ISLAM
VILL- SONAIBERA
P.O. ALITANGANI
DIST. NAGAON
ASSAM

3: NURUL ISLAM
ASSTT. TEACHER (ARABIC) OF UDAY NAGAR ME MADRASSA

S/O LATE MUNTAZ ALI
VILL- DHARAMUKH
P.O. BAJBATAMAI
DIST. NAGAON
ASSAM

4: TASLIMA KHATUN
ASSTT. TEACHER (ARABIC) OF CHANGAJAN HAJI SHAK SAND ALI
ME MADRASSA

D/O MD. MAIN UDDIN VILL- CHANGJAN
P.O. BAJ BATAMARI
DIST. NAGAON
ASSAM

5: ASIA KHATUN
ASSTT. TEACHER (ARABIC) OF PAM KALIADINGA GIRLS ME MADRASSA

D/O HAZRAT ALI
VILL- KALIADINGA
DIST. NAGAON
ASSAM

6: AFAZ UDDIN
ASSTT. TEACHER (ARABIC) OF DAKSHIN KATAHGURI LALMAMUD ME
MADRASSA

S/O LATE HALEM ALI
VILL- KATAHGURI
PO.O. TUKTUKI
DIST. NAGAON
ASSAM

7: TASMINA BEGUM
ASSTT. TEACHER (ARABIC) OF UTTAR MAHGURI ME MADRASSA

D/O ABDUL KALAM
VILL- MAHGURI

P.O. SINGARI MADRASSA

DIST. NAGAON
ASSAM

8: FAZILA KHATUN
ASSTT. TEACHER (ARABIC) OF MAJULI
ME MADRASSA

D/O SAMS UDDIN VILL- UTTAR PUTAKOLONG
P.O. AMGABAGAN
DIST. NAGAON
ASSAM

9: TASNIA AFRIN
ASSTT. TEACHER (ARABIC) OF KHAIRAMARI ME MADRASSA

D/O HAFIZ UDDIN VILL- KHAIRAMARI
P.O. KANDULIMARI
DIST. NAGAON
ASSAM

10: MOFIZ UDDIN
ASSTT. TEACHER (ARABIC) OF PACHIM LAILURIME MADRASSA

S/O LATE ABED ALI

VILL- LAILURI
P.O. LAILURI
P.O. LAILURI
DIST. NAGAON
ASSAM

11: MAHAMMAD ALI
ASSTT. TEACHER (ARABIC) OF MAGURMARI ADARSHA ME MADRASSA

S/O LATE AKBAR ALI
VILL- SUNSERI
P.O. KANDHULIMARI
DIST. NAGAON
ASSAM

12: ANZARUZ ZAMAN
ASSTT. TEACHER (ARABIC) OF LATANI CHAPORI ME MADRASSA

S/O ARFAN ALI
VILL- NO. 2 BHATAKHALI
P.O. KATHPARA
DIST. NAGAON
ASSAM

13: ABU TAHIR
ASSTT. TEACHER (ARABIC) OF NARAMARI ADARSHA ME MADRASSA

S/O NURUL HOQUE
VILL- NARAMARI
P.O. SILLONGONI
DIST. NAGAON
ASSAM

14: MD. RAHMAT ULLAH
ASSTT. TEACHER (ARABIC) OF DAKHIN DHANIABHETI ME MADRASSA

D/O MD. NASIR UDDIN
VILL- DHANIABHETI
P.O. DHANIABHETI
DIST. NAGAON
ASSAM

15: RUSMAT ALI
ASSTT. TEACHER (ARABIC) OF GENDHUA PATHAR MAMUD ALI ME
MADRASSA

S/O LATE FAIZ UDDIN
VILL- JAMUGURI

P.O. ALITANGANI
DIST. NAGAON
ASSAM

16: SHAHJAHAN ALI
ASSTT. TEACHER (ARABIC) OF PACHIM
KADAMANI PATHAR H.K. ME MADRASSA

S/O ABDUR RASHID
VILL- BHERBHERI
P.O. DHUPAGURI
DIST. NAGAON
ASSAM

17: RUKIA KHATUN
ASSTT. TEACHER (ARABIC) OF NAGABANDHA ME MADRASSA

D/O ABDUS SATTAR
VILL- CHATIAN
P.O. TINSUKIA
DIST. NAGAON
ASSA

VERSUS

THE STATE OF ASSAM AND 3 ORS.
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM,
DISPUR, GUWAHATI-06

2:THE COMMISSIONER AND SECRETARY TO THE GOV.T OF ASSAM

DEPARTMENT OF SCHOOL EDUCATION
DISPUR
GUWAHATI- 781006.

3:THE SECRETARY TO THE GOVT. OF ASSAM

FINANCE DEPARTMENT
DISPUR
GUWAHATI-781006.

4:THE DIRECTOR OF ELEMENTARY EDUCATION

ASSAM KAHILIPARA
GUWAHATI-19

Advocate for the Petitioner : MR. S H RAHMAN, MR. M S MONDAL

Advocate for the Respondent : GA, ASSAM, SC, FINANCE,SC, ELEM. EDU

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO**

ORDER

Date : 07.01.2026

Heard Mr. S. H. Rahman, learned counsel for the petitioners, who submits that the petitioners are working as Assistant Teachers, teaching Arabic language in Upper Primary Schools and it is their case that they are eligible to be considered for provincialisation of their services in terms of Section 3(1) (xi) of the Assam Education (Provincialisation of Services of Teachers and Re-Organization of Educational Institutions) Act, 2017 (The Act of 2017 in short). The learned counsel at the outset submits that similar matters were taken up by this Court and they were all disposed of by a common order dated 22.10.2025 with the lead case being WP(C)/5072/2021 (Annexure-9). The learned counsel therefore submits that the instant writ petition may be disposed of in similar lines.

[2.] Ms. N. Phukan, learned Standing Counsel, Elementary Education Department submits that in view of the directions passed in the earlier writ petitions, Court may consider and pass appropriate orders as deem fit and proper.

[3.] In view of above, writ petition is disposed of by directing the writ petitioners to file their respective individual representation before the Director of Elementary Education, Government of Assam within a period of fifteen days from today and the said authority upon receipt of the representation shall consider the same by taking into account the provisions of Section 3(1) (xi) of

the Act of 2017 and dispose of the representation within a period of 4(four) months from the date of receipt of the same by way of a speaking order.

[4.] With the above observations and directions, the writ petition stands disposed of.

[5.] The petitioner No.1 shall file a copy of this writ petition before the Director of Elementary Education along with a certified copy of this order and also along with his representation. The remaining petitioners are not required to file a copy of the writ petition along with the representation.

JUDGE

Comparing Assistant