

WP(C) 1800/2007

BEFORE

HON'BLE JUSTICE MR I. A. ANSARI

Heard Mr. S. Alim, learned counsel for the petitioners, and Mr. M. Khato niar, learned counsel, appearing on behalf of the respondents.

Perused the above writ petition and materials on record including the order, dated 23.03.07, passed in WP(C) No. 1402/2007, which reads as under:

Heard learned counsel for the parties.

The petitioners are stated to be serving as Honorary Teacher. The claim for regularization of services of the honorary teachers came up for consideration before this Court and the batch of writ petitions was dismissed by judgment and order dated 25.11.03. One of the writ petitions is WP(C) No. 6236/2003. The judgment was carried on appeal being Writ Appeal No. 52/2004 and the Division Bench also affirmed the judgment of the learned Single Judge, with the observation that it will be open for the Government to give preference to the honorary teachers in the matter of appointment in the form of relaxation of age for their experience at the time of filling up vacancies through regular selection in future. It appears that the Government of Assam in the Education (Elementary) Department has issued Office Memorandum dated 21st January, 2004, providing relaxation of age for the experience gathered by the honorary teachers at the time of filling up the vacancies in regular selection in future.

By filing this writ petition the petitioners have prayed for a direction to the respondents to consider the claim of the petitioners in terms of the office memorandum dated 21.1.2004. The office memorandum will come into play only in the event of advertisement for regular appointment. If such advertisement is issued for regular selection and the petitioners respond to the same, the relaxation in respect of age for the experience gathered by the petitioners may be considered by the respondents.

Writ petition disposed of.

It is submitted by the learned counsel for both the parties that this writ petition may be disposed of at the motion stage itself by making the directions, given in the order, dated 23.03.07, aforementioned, applicable to the present case.

Considering the matter in its entirety and in the interest of justice, it is hereby directed that this application stands disposed of in terms of the observations made, and directions given, in the order, dated 23.03.07.

No cost.