

WP(C) 2540/2009

BEFORE

HON'BLE MR JUSTICE HN SARMA

Heard Mr. RK Talukdar, learned counsel for the petitioners and Mr. MK Misra, learned Standing counsel, Education Department.

The grievance raised by the 12 petitioners in this writ petition filed jointly is that although they were appointed as Asstt. teacher in various M.E. Schools in the month of April/May, 1999 and joined in their respective post, their salaries have not been paid by the respondent authorities.

Mr. Misra, learned Standing counsel has pointed out that the petitioners were not selected and there is no materials to show that subsequently they were appointed in their respective post and the said appointment is de-horse the Rule. The aforesaid submission of Mr. Misra can be deciphered from the fact that retention of the petitioners were not accorded and they were appointed in an anticipation of the selection by the Sub-Divisional Advisory Board for Elementary Education.

The learned counsel for the petitioner submits that the grievances made in this petition are common and same as was in the case of Sudhendu Mohan Talukdar -Versus- State of Assam, disposed of on 6.4.06, reported in 2006 (2) GLT 216.

Upon hearing the learned counsel for the parties and upon perusal of the materials available on record, this writ petition is disposed of with the direction that the direction and observation contained in the aforesaid case shall also be applicable to the petitioners in this writ petition. The petitioners shall take necessary steps to get their cases referred to the Committee mentioned in the judgment and order of the aforesaid case. The Committee shall, however, specify as to whether the petitioners were selected prior to their appointment as per Rules or not.

With this order, this writ petition stands disposed of.