

WP(C) 6505/2011
BEFORE
HON'BLE MR JUSTICE B. K.SHARMA

Heard Mr TJ Mahanta, learned counsel for the petitioner as well as Mr MR Pathak, learned Standing Counsel for the education department.

The claim of the petitioner is that he being the senior most teacher in the school, he is entitled to hold the charge of the post of Principal, which will fall vacant on 31.12.2011 on demitting the office by the present incumbent. There is claim and rival claim between the petitioner and the respondent no.5.

Having regard to the nature of grievances raised and as agreed to by learned counsel for the parties, this writ petition is disposed of directing the Director of Secondary Education, Assam, to take on record annexure 6 representation dated 13.12.11 and dispose of the same taking note of the attending facts and circumstances and in accordance with law. While doing so, the said authority may hear the school authorities as well as the respondent no.5. Needless to say, the Principal incharge ship will be given to the entitled incumbent on the basis of the decision to be arrived at. The petitioner may obtain certified copy of this order and produce the same before the Director of Secondary Education, Assam along with a copy of the writ petition for his follow-up action.