

I.A. 1765/2015
BEFORE
THE HON'BLE MR JUSTICE UJJAL BHUYAN

Heard Mr N Hasan, learned counsel for the petitioners in both the cases and Mr S K Sinha, learned counsel for respondent Nos. 7 and 8. Also heard Ms P Bhattacharya, learned Standing Counsel, Secondary Education Department, Government of Assam.

2. Subject matter in both the writ petitions relate to provincialization of service of respondent Nos. 7 and 8 in Dakhin Ghilamara High School in the district of Lakhimpur.

3. Provincialization order of the above 2 (two) respondents have been put to challenge in WP(C) No. 4747 of 2014. By order dated 17.09.2014, passed in WP(C) No. 4747 of 2014, provincialization of service of respondent Nos. 7 and 8 was stayed.

4. Consequent upon such order of the Court, provincialization orders of respondent Nos. 7 and 8 were withdrawn by the authority, which led the 2 (two) respondents to file WP(C) No. 513 of 2015 as the writ petitioners.

5. It has been brought to the notice of the Court that the Assam Venture Educational Institutions (Provincialization of Services) Act, 2011, on the basis of which, the services of respondent Nos. 7 and 8 were provincialized, has been declared unconstitutional by a Division Bench of this Court.

6. In view of the said development, no live issue survives for adjudication in the 2 (two) writ petitions. Consequently, application for vacating stay has also lost its force.

7. In view of the above, both the writ petitions along with the Miscellaneous and Interlocutory Applications are hereby dismissed.