

GAHC010072622021



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

**Case No. : WP(C)/2775/2021**

REKHA BORA  
D/O LATE KHAGESWAR BORAH.  
RESIDENT OF MAHMORA JAPIDHOR VILLAGE, PO AND PS KAATIBARI,  
DIST SIVASAGAR, ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM, SECONDARY EDUCATION, DISPUR, GUWAHATI 781006

2:THE STATE OF ASSAM.  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM  
FINANCE DEPARTMENT  
DISPUR GUWAHATI 781006

3:THE DIRECTOR OF SECONDARY EDUCATION  
ASSAM KAHILIPARA  
GUWAHATI 19

4:THE INSPECTOR OF SCHOOLS  
SIVASAGAR  
ASSAM

5:THE PRINCIPAL  
B.P.B MEMERIAL H.S SCHOOL  
DIST SIVASAGAR  
ASSA

**Advocate for the Petitioner : MR. S S S RAHMAN**

**Advocate for the Respondent : SC, SEC. EDU.**

**BEFORE  
HONOURABLE MR. JUSTICE LANUSUNGKUM JAMIR**

**ORDER**

**Date : 31.05.2024**

- 1.** Heard Mr. A.W. Aman, learned counsel for the petitioner.
- 2.** Also heard Mr. U. Sarma, learned standing counsel, Secondary Education Department, for respondent Nos. 1, 3 & 4 and Mr. A. Chalia, learned standing counsel, Finance Department, for respondent No. 2.
- 3.** The claim of the petitioner, in the present writ petition, is for fixation of regular pay scale, to which she is entitled in view of the decision of this Court, dated 16.12.2016, passed in WP(C) No. 763/2013, which was affirmed by the Division Bench of this Court in Writ Appeal No. 233/2017 by order dated 14.06.2019.
- 4.** It is the case of the petitioner that she was initially appointed as Assistant Teacher in B.P.B.M. Higher Secondary School on 11.04.2001 after going through regular process of recruitment on the basis of an advertisement and recommendation made by the Competent Selection Committee of B.P.B.M. Higher Secondary School. However, the petitioner was initially paid a sum of Rs.2,500/-, which was, later on, enhanced to Rs.15,500/- since 2015. The further case of the petitioner is that some of the teachers serving in various schools of the State, had approached this Court for grant of regular pay scale, which was allowed by this Court in WP(C) No. 763/2013 by order dated 16.12.2016. The said order dated 16.12.2016 was affirmed by the Division Bench of this Court in Writ Appeal No. 233/2017 by order dated 14.06.2019. It is submitted by the learned counsel for the petitioner that on the basis of the aforesaid decisions of this Court, many teachers of the State have already been granted regular pay scale attached to the post of

Assistant Teachers.

**5.** After hearing the parties, this Court is of the opinion that the respondent-authorities can verify the claim of the petitioner and if it is found that the petitioner is similarly situated and covered by the decisions of this Court rendered in the aforesaid cases, the petitioner may also be given the said benefit, for which, the petitioner may file a detailed representation along with all supporting documents before the respondent Nos. 1 & 3 within a period of 15 days from today. Thereafter, the respondent Nos. 1 & 3, after making necessary verification, if it is found that the petitioner is entitled to the same regular pay scale as has been given to other similarly situated teachers, the petitioner may be accorded the same benefit within a period of 2 (two) months from the date of receipt of such representation to be submitted by the petitioner.

**6.** With the above observations and directions, this writ petition is disposed of.

**JUDGE**

**Comparing Assistant**