

Assam Schedule VII, Form No. 132.

HIGH COURT FORM NO. (J) 2

HEADING OF JUDGMENT IN ORIGINAL SUIT.

District :- Bongaigaon.

IN THE COURT OF CIVIL JUDGE :::: BONGAIGAON.

Present :- Sri S. Das.
Civil Judge,
Bongaigaon.

Saturday, the 20th day of April, 2013.
Title Suit No.9 of 2008.

1. Md Abiyal Sheikh

Plaintiff.

V E R S U S

1. Bhadrageon M.E School, Bidyapur and 25 others

Defendants

This suit coming for final hearing on 5.4.2013

(I) Given date or dates
in the presence of

Mr. D. C. Nath

Advocate for Plaintiff

Mr. M. Rahman,
Mr K. Sarkar

Advocate for Defendants

and having stood for consideration to this on the 20th day of
April, 2013 the Court delivered the following Judgment:

Contd----P/2

20/4/2013
Civil Judge,
Bongaigaon.

::::: J U D G M E N T :::::

1. This is a suit for declaration and for injunction.
2. The case of the plaintiff is that the Bhadragaon M.E School, Bhadragaon, P.O. Bidyapur, P.S. Bongaigaon, district-Bongaigaon, Assam is the defendant no.1. The said school was established by the public of village Bhadragaon for imparting education upto class VIII standard to the students of the locality. The defendants school is being run by Managing committee formed by the guardians, teachers and well wishers of village Bhadragaon. The school was opened with the permission of department of Education, Assam which accorded recognition with effect from 11.11.2005. Further, case of the plaintiff is that he read upto class X standard being qualified for appointment for chowkidar i.e grade IV employee applied for the post of chowkidar in the defendants school in the year 1995. The managing committee of the defendants school resolved to appoint the plaintiff as chowkidar of the defendants school vide resolution no. 2 of its meeting dated 19.2.95 and accordingly the secretary of the defendants school issued an appointment letter to the plaintiff on 28.2.95. The plaintiff joined the defendants school immediately and continued to service honestly and sincerely. Further, it is averred that the defendant no.2 President and defendant no.3 Secretary, defendant no.4 Headmaster and defendant no. 5 to 25 are the members of the managing committee. Defendant no.4 demanded an amount of Rs. 20,000/- from the plaintiff saying that the amount would be required for retention of his service at the time of obtaining permission of recognition. However the plaintiff coming from a poor family could not pay the same amount. Thereafter, the defendant no. Headmaster of the school in collusion with defendant no.2 and 3 and some members of the managing committee and other staff members fraudulently obtained the signature of the plaintiff in a blank paper stating that an application is required to be submitted to the District Elementary Education

20/4/2013
Chf Judge,
Bongaigaon.

