

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.**

**Friday, the 26<sup>th</sup> day of April, 2013.  
Title Suit No. 31 of 2007.**

1. Sri Debandan Das

Plaintiff.

VERSUS

1. The Little Flower English High School, Abhayapuri  
and 13 others

Defendants

This suit coming for final hearing on 21.03.2013,  
20.4.2013.

(I) Given date or dates  
in the presence of

Mr. D. C. Nath

Advocate for Plaintiff

Mr. A. Samad

Advocate for Defendants

26/4/2013  
Civil Judge,  
Bongaigaon.

and having stood for consideration to this on the 26<sup>th</sup> day of  
April, 2013 the Court delivered the following Judgment:

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(2)

**:::: 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 defendant no.1 is the Little Flower English High School, Abhayapuri Town, Ward No. 3, P.O. Abhayapuri district Bongaigaon, Assam was established in the year 1994 for imparting school education up to class X standard in English Medium. Defendant no.2 to 5 are the office bearers and members of the Managing Committee of the said school. Further case of the plaintiff is that he is an honours graduate having pravin degree in Hindi from the Assam Rashtra Bhasa Prasar Samity, Guwahati was appointed as an Assistant teacher of defendant school in the year 1994 and since then he has been serving the school. In the first week of January, 2007 the plaintiff attended school and to his surprise he found that his name has been struck off from the teachers attendance register without assigning any reason thereof. His allotment of classes of daily routines was also cancelled by the defendant no.3. However, plaintiff continued to attend school from the 2<sup>nd</sup> day of January, 2007 till 6<sup>th</sup> day of January, 2007. Thereafter, the plaintiff had fell ill and could not attend school for some days for which he submitted leave application with medical certificate. But the defendant no.3 did not respond. On 10.01.2007 the plaintiff received copy of resolution no.5(b) of Managing Committee by defendant no.3 which reads - " It has been resolved that the Principal, L.F.E.H. School is asked to issue to D.Das, A.T enquiring his strategy regarding his resignation within 3 (three) days from the date of receipt of the letter failing which the verbal resignation with be confirmed." The plaintiff submitted its reply thereto on 12.01.2007 by refuting the charges against him. Plaintiff also submitted representation to defendant no.2 through defendant no.3 on 15.2.2007 with a prayer to record his name in the daily attendance register and to allot him classes, which was received on the same day by the defendant no.3. But there was no response to his

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26/1/2013  
Civil Judge,  
Bongaigaon.

