GAHC040016492026

# THE GAUHATI HIGH COURT
## (HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
## (ITANAGAR BENCH)

**Case No. : WP(C)/480/2026**

Jonggong Perme
Son of Late Taguram Perme, TGT, Govt Upper Primary School, Taju, East Siang District, Arunachal Pradesh.

VERSUS

The State of AP and 4 Ors
represented by the Commissioner/ Secretary (Education), Govt of Arunachal Pradesh, Itanagar.

2:The Director of Secondary Education
Age: 0
Occupation :
Govt of Arunachal Pradesh
Itanagar.

3:The Director of Elementary Education
Age: 0
Occupation :
Govt of Arunachal Pradesh
Itanagar.

4:The Deputy Director of School Education
Age: 0
Occupation :
East Siang District
Pasighat
Arunachal Pradesh.

5:The Head Master
Age: 0
Occupation :
Govt Upper Primary School

Tajum
East Siang District
Arunachal Pradesh

**Advocate for the Petitioner** : Krishna Dubey, Kemo Lollen,D Ado,Signal Yirang

**Advocate for the Respondent** : Taba Tagum, SC (Education)

**BEFORE**
**HONOURABLE MR. JUSTICE BUDI HABUNG**

**ORDER**

**Date : 30-09-2026**

Heard Mr. K. Lollen, learned counsel for the petitioner and Mr. T. Tagum, learned Standing Counsel, Education Department, appearing for the respondents.

**2.** The petitioner is aggrieved by the order dated 30.06.2026, whereby the Department as a part of statewide rationalisation/transfer and posting of the teachers, pursuant to which the petitioner has also been transferred from Government Upper Primary School Remi, East Siang District to Government Upper Primary School Sibe, Lower Siang District.

**3.** It is submitted that, vide order dated 12.03.2026, issued by the DDSE, East Siang District, Pasighat, the petitioner was already transferred from Government Upper Primary School Remi, East Siang District to Government Upper Primary School Tajum, East Siang District. In compliance with the said order dated 12.03.2026, the petitioner was released from Government Upper Primary School Remi, East Siang District on 14.03.2026 and on 16.03.2026, the petitioner joined his duty in Government Upper Primary School Tajum, East Siang District. However, vide the impugned order dated 30.06.2026, the petitioner was again

sought to be transferred from Government Upper Primary School Remi, East Siang District to Government Upper Primary School Sibe, Lower Siang District.

**4.** Mr. K. Lollen, learned counsel for the petitioner, submits that the petitioner has hardly completed three months in the present school and has been transferred out during the mid-academic session, which will affect his children's academic careers and the children of present school. Further, it is submitted that the wife of the petitioner is also working as a teacher and, as per the as per the "***Teachers Transfer and Posting Policy, 2025"***, Section 11, Clause (C), Sub-section (iv), "***Spouse Ground***: it is provided that, a*s far as possible, a working spouse under the Education Department will be transferred within the same station"*. Mr. Lollen submits that, being aggrieved by the impugned transfer order, the petitioner has submitted a representation before the Commissioner (Education), Government of Arunachal Pradesh, on 03.07.2026. However, the same has not been considered by the said authority till date.

**5.** Learned counsel for the petitioner further submitted that, in the meantime, while he was expecting his representation to be disposed of, the DDSE, East Siang District, Pasighat, has issued an order dated 15.09.2026, directing all the teachers to be released within 7 (seven) days from the date of issuance of the said order. It is submitted that the petitioner has not yet been released from the present school.

**6.** Mr. T. Tagum, learned Standing Counsel for the Education Department, submits that the earlier order dated 12.03.2026, issued by the DDSE, East Siang District, Pasighat, whereby the petitioner is stated to have been transferred from Government Upper Primary School Remi, East Siang District to Government

Upper Primary School Tajum, East Siang District was not a transfer order, in fact, it was a local adjustment within the district until further order.

**7.** However, at this stage, Mr. Lollen, learned counsel for the petitioner, submits that since the petitioner has submitted a representation before the competent authority for consideration, which has not been considered till date, this writ petition may be disposed of by directing the respondent authorities to dispose of the same and in the meantime, the petitioner may not be released from the present school till the disposal of the representation.

**8.** Mr. Tagum, learned Standing Counsel for the Education Department, has no objection to such proposal for disposal of the writ petition, to the extent that a direction be issued for disposal of the representation submitted by the petitioner.

**9.** Having considered the submissions made by the learned counsel appearing for the parties and without entering into the merit of the petitioner's challenge to the transfer order, this Court is of the view that the pending representation of the petitioner deserves consideration by the competent authority.

**10.** Accordingly, the writ petition is disposed of with a direction to the competent authority, more particularly, *the Secretary, Government of Arunachal Pradesh, Education Department*, to consider and dispose of the representation dated 03.07.2026 submitted by the petitioner by passing a reasoned and speaking order taking into consideration the relevant transfer policy and in accordance with law.

**11.** The competent authority shall pass the aforesaid order within a period of 1 (one) month from the date of receipt of a certified copy of this order.

**12.** Until the disposal of the representation submitted by the petitioner, the

respondents shall not release the petitioner from his present place of posting pursuant to the impugned transfer order dated 30.06.2026, if he has not yet been released.

**13.** With the above direction, the writ petition stands disposed of.

**JUDGE**

*CHECKED & VERIFIED*

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