

GAHC040000172023



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

Case No. : IA(C) 4/2023

1: Bengia Kaku and 15 Ors.
(Lower Division Clerk, LDC),
W/o Shri Tarh Tassap,
C/o Banderdewa, District Papumpare, Department of Tax, Excise and Narcotic, Govt.
of Arunachal Pradesh.

2: Tadu Lily
(Lower Division Clerk
LDC)

D/o Shri Tadu Richo

O/o Commissioner
HQ Itanagar
District Itanagar Capital Region
Department of Tax
Excise and Narcotic
Govt. of Arunachal Pradesh.

3: Arun Mandal
(Lower Division Clerk
LDC)

S/o Shri D.R. Mandal

O/o Commissioner
HQ Itanagar
Itanagar Capital Region
Department of Tax
Excise and Narcotics
Govt. of Arunachal Pradesh.

4: Geeta Nido
(Lower Division Clerk
LDC)
W/o Shri Nido Arun

O/o Superintendent
Zone I Naharlagun
Department of Tax
Excise and Narcotic
Govt. of Arunachal Pradesh.

5: Kaling Lego
(Lower Division Clerk
LDC)

S/o Shri Kalom Lego

O/o Commissioner
HQ Itanagar
Department of Tax
Excise
and Narcotic
Govt. of Arunachal Pradesh.

6: Yomyir Ete
(Lower Division Clerk
LDC)

W/o Shri Moli Basar

O/o Commissioner
HQ Itanagar
Department of Tax
Excise
and Narcotic
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7: Adam Lego
(Lower Division Clerk
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W/o Nibang Pertin

O/o Superintendent Roing

Department of Tax
Excise
and Narcotic
Govt. of Arunachal Pradesh.

8: Toko Yeli
(Lower Division Clerk
LDC)

W/o Shri Keji Tapok

O/o Superintendent
Banderdewa Zone
Department of Tax
Excise and Narcotic
Govt. of Arunachal Pradesh.

9: Gomar Basar
(Lower Division Clerk
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S/o Shri Togo Basar

O/o the Superintendent
Ziro
Department of Tax
Excise
and Narcotics. Govt. of Arunachal Pradesh.

10: Pura Napi
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LDC)

D/o Shri Pura Horming

O/o The Commissioner
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Department of Tax
Excise
and Narcotic
Govt. of Arunachal Pradesh.

11: Kesum Jongkey
(Lower Division Clerk

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W/o Shri Obang Nobeng

O/o Superintendent
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Department of Tax
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Govt. of Arunachal Pradesh.

12: Chau Chantakung Kamthong
(Lower Division Clerk
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W/o Ngunsu Kamthong

O/o Superintendent
Namsai Zone
Department of Tax
Excise
and Narcotic
Govt. of Arunachal Pradesh.

13: Yakot Pasar
(Lower Division Clerk
LDC

)

W/o Late Talong Padu

O/o Superintendent
Yingkiong Zone
Department of Tax
Excise and Narcotic
Govt. of Arunachal Pradesh.

14: Reena Gyadi
(Lower Division Clerk
LDC)

W/o Shri Amar Tapu

C/o Seppa
District East Kameng
Department of Tax
Excise

and Narcotic
Govt. of Arunachal Pradesh.

15: Doyum Taipodia
(Lower Division Clerk
LDC)

W/o Shri Mindo Taipodia

O/o The Commissioner
HQ Itanagar
District Itanagar Capital Region
Department of Tax
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and Narcotic
Govt. of Arunachal Pradesh.

16: Ligam Loya
(Lower Division Clerk
LDC)

W/o Shri Doba Loyi

O/o Superintendent
Aalo Zone
District West Siang
Department of Tax
Excise
and Naroctic
Govt. of Arunachal Pradesh

VERSUS

1:THE STATE OF AP and 8 Ors.
Represented by the Chief Secretary, Govt. of Arunachal Pradesh, Itanagar.

2:The Secretary
Tax
Excise and Narcotics
Govt. of Arunachal Pradesh
Itanagar.

3:The Commissioner
Tax
Excise and Narcotics

Govt. of Arunachal Pradesh
Itanagar.

4:The Chairman
Arunachal Pradesh Staff Selection Board (APSSB)
Govt. of Arunachal Pradesh
Itanagar.

5:The Secretary cum CoE
Arunachal Pradesh Staff Selection Board (APSSB)
Govt. of Arunachal Pradesh
Itanagar.

6:The Principal Secretary
Finance
Govt. of Arunachal Pradesh
Itanagar.

7:The Secretary
Finance
Govt. of Arunachal Pradesh
Itanagar.

8:The Secretary
Administrative Reform
Govt. of Arunachal Pradesh
Itanagar.

9:The Joint Secretary
Administrative Reform
Govt. of Arunachal Pradesh
Itanagar

Advocate for the Petitioner : B Arun

Advocate for the Respondent : GA (AP)

Linked Case : WP(C) 293/2022

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Itanagar.

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Govt. of Arunachal Pradesh
Itanagar.

Advocate for the Petitioner : B Arun
Advocate for the Respondent : GA (AP)

BEFORE
HONBLE MR. JUSTICE NANI TAGIA

ORDER

Date : 17-01-2023

Heard Ms. T. Yajo, learned counsel for the applicants/writ petitioners.
Also heard Mr. S. Tapin, learned Senior Government Advocate for the State respondents.

This is an application seeking impleadment of opposite party nos. 6, 7, 8 & 9, who are the Principal Secretary (Finance), Govt. of Arunachal Pradesh; The Secretary (Finance), Government of Arunachal Pradesh; The Secretary of the Administrative Reform, Government of Arunachal Pradesh, Itanagar and the Joint Secretary of the Administrative Reform, Government of Arunachal Pradesh, respectively, as respondent nos. 6, 7, 8 & 9 in WP(C) No. 293(AP)/2022, contending that the aforesaid opposite parties are necessary party in the writ petition.

Mr. Tapin while agreeing to the submission of the learned counsel for the applicants, has however, pointed out that if the opposite party nos. 6 & 8, who are the Principal Secretary (Finance), Govt. of Arunachal Pradesh and the Secretary of the Administrative Reform, Government of Arunachal Pradesh, Itanagar, respectively, are impleaded as respondents in the writ petition, would serve the purpose.

However, the learned counsel for the applicants submits that the respondent nos. 7 & 9, who are the Secretary (Finance), Government of Arunachal Pradesh and the Joint Secretary of the Administrative Reform, Government of Arunachal Pradesh, are also a necessary party.

Having heard the learned counsel for the parties, this application is allowed.

Accordingly, let opposite party nos. 6, 7, 8 & 9, who are the Principal Secretary (Finance), Govt. of Arunachal Pradesh; the Secretary (Finance), Government of Arunachal Pradesh; the Secretary of the Administrative Reform, Government of Arunachal Pradesh, Itanagar and the Joint Secretary of the Administrative Reform, Government of Arunachal Pradesh,

respectively, be impleaded as respondent nos. 6, 7, 8 & 9 in WP(C) No. 293(AP)/2022.

The interlocutory application stands allowed and disposed of.

JUDGE

Comparing Assistant