

GAHC010254702023



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

Case No. : I.A.(Civil)/3337/2023

LOMBIT KONWAR AND 16 ORS.
S/O. SRI NUMAL KONWAR, R/O. JAMIRAH GOHAIN GAON, P.O.
BEHEATING, DIBRUGARH.

2: MUJIBUR RAHMAN
S/O. APSER RAHMAN
VILL. 2 NO. BHARGAJ
P.O. DEHING TIHAN
P.S. DEMOW
SIVASAGAR-786571.

3: GOJEN SAIKIA
S/O. LT. BIRAN SAIKIA
R/O. KONWARI GAON
P.O. KONWARIGAON
DIBRUGARH-786615.

4: JYOTIMONI BARUAH
W/O. BAPUTI BARUAH
R/O. MANCOTTAK ACHARIBARI
P.O. MANCOTTA
DIBRUGARH-786003.

5: LOPU SONOWAL
S/O. BINU SONOWAL
R/O. NO.1 CHARAIBAHI GAON
P.O. KOLOWLAWA
P.S. KHOWANG
DIBRUGARH-785676.

6: MRIDUL BARUAH
S/O. LT. ANARAM BARUAH
R/O. JAJALI HABI GAON
P.O. BANAMALI

P.S. KAKATIBARI
SIVASAGAR-785689.

7: RAJIB GOGOI
S/O. LT. JAYKANTA GOGOI
R/O. JAMIRAH KAPOW GAON
P.O. DHAMALGAON
DIBRUGARH
PIN-786004.

8: SRIMATI REKHAMONI BAGREE
D/O. LT. ROBIN BAGREE
R/O. MANCOTTA TEPOR GAON
P.O. MANCOTTA
DISBRUGARH-786003.

9: TAPAN DEKA
S/O. SRI BANESWAR DEKA
R/O. PARBATIA ROAD
TINSUKIA
P.S. AND DIST. TINSUKIA-786125.

10: TRALYA BORAH
S/O. SRI DAYANANDA BORAH
R/O. BHATI NAMDANG VILL.
P.O. CHAHARIKATA
DIBRUGARH-785676.

11: CHANDAN CHETRY
S/O. SRI SHYAM CHETRY
R/O. CHOWKIDINGEE
UDAYPUR P.O.- C.R. BUILDING
DIBRUGARH
786003.

12: BIJOY CH. DAS
S/O. SRI NAREN CH. DAS
R/O. GRAHAM BAZAR
P.O. GRAHAM BAZAR
DIBRUGARH-786001.

13: SRIMATI RITUMONI KALITA BORA
W/O. SRI KULA BORA
R/O. BERRY WHITE COLONY
P.O. AND DIST. DIBRUGARH.

14: GULAP HAZARIKA
S/O. LT. JITRAM HAZARIKA

R/O. MESLOW GAON
P.O. MESLOW
DIBRUGARH.

15: SRIMATI OMSHREE KALITA
D/O. SRI NALIN KALITA
R/O. LATHA GAON
P.O. DERGAON
GOLAGHAT.

16: HITENDRA BHARALI
S/O. SRI ROMESH CH. BHARALI
R/O. CHABUWA D WARD
P.O. CHABUR
DIBRUGARH.

17: TUTU SONOWAL
S/O. LT. PRAFULLA SONOWAL
R/O. ROWMARI KACHARI GAON
P.O. BEHEATING TINIALI
DIBRUGARH

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REP. BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM, HEALTH
AND FAMILY WELFARE (A) DEPTT., DISPUR, GUWAHATI-781006, ASSAM.

2:THE SECRETARY TO THE GOVERNMENT OF ASSAM

HEALTH AND FAMILY WELFARE (A) DEPTT.
DISPUR
GUWAHATI-781006
ASSAM.

3:THE DIRECTOR OF HEALTH SERVICES

HENGRABARI
GUWAHATI-781036
KAMRUP (M)
ASSAM.

4:THE JOINT DIRECTOR OF HEALTH SERVICES

DIBRUGARH
GUWAHATI-781036
ASSAM.

5:THE SCREENING COMMITTEE

REP. BY THE CHAIRMAN (ADDL. DIRECTOR OF HEALTH SERVICES)
HANGRABARI
GUWAHATI-36

Advocate for the Petitioner : MR M GOSWAMI

Advocate for the Respondent : SC, HEALTH

Linked Case :

LOMBIT KONWAR AND 16 ORS.

VERSUS

THE STATE OF ASSAM AND 4 ORS. E

Advocate for : MR M GOSWAMI
Advocate for : appearing for THE STATE OF ASSAM AND 4 ORS. E

Linked Case :

LOMBIT KONWAR AND 16 ORS.

VERSUS

THE STATE OF ASSAM AND 4 ORS. E

Advocate for : MR M GOSWAMI
Advocate for : appearing for THE STATE OF ASSAM AND 4 ORS. E

BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

15.11.2023

(M. R. Pathak, J)

Heard Mr. M. Goswami, learned counsel for the applicants. Also heard Mr. B. Gogoi, learned Standing counsel, Health & Family Welfare Department representing respondent Nos. 1 to 5.

2. The applicants were the Grade-IV employees allegedly been appointed by the Director of Health Services/Joint Director of Health Services, Assam. They were removed from their services on 24.02.2020. Being aggrieved with their removal orders dated 24.02.2020, the applicants had preferred a writ petition, being WP(C) No.8220/2019. The learned Single Judge, by common Judgment and Order dated 29.09.2023, passed in WP(C) No.5013/2020 (*Srimati Arunima Gogoi vs. State of Assam & others*) and other connected case including WP(C) No.1931/2020 (*Lombit Konwar & 16 others vs. State of Assam & others*), dismissed the said writ petitions.

3. Being aggrieved with the said dismissal order dated 29.09.2023, passed in the common Judgment and Order in WP(C) No.5013/2020, the applicants had preferred the connected writ appeal on 10.11.2023 with a delay of 10 days. Hence, this application filed by the appellants as the applicants for condoning the delay of 10 days in preferring the connected writ appeal against the common Judgment and Order dated 29.09.2023 passed by the learned Single Judge in WP(C) No.5013/2020 and other connected cases.

4. Mr. B. Gogoi, learned Standing Counsel, Health & Family Welfare Department, has

raised no objection in condoning the delay of 10 days in preferring the connected writ appeal.

5. We have perused the grounds placed by the applicants for condoning the delay of 10 days while preferring the connected writ appeal. It is stated that the applicants are from different places and after their termination from services, they were looking for jobs at different places of the State and as such to gather themselves to prefer this appeal, there was a delay of 10 days.

6. We have seen that the applicants could place sufficient reasons for the delay in preferring the connected writ appeal against the impugned common Judgment and Order dated 29.09.2023 passed in WP(C) No.5013/2022 and other connected cases.

7. Accordingly, the delay of 10 days in preferring the connected writ appeal is condoned.

8. Registry shall accordingly register the connected writ appeal and list the same for admission before the appropriate Bench, after placing the matter before the Hon'ble Chief Justice (Acting) on his administrative side.

9. In terms of above, this interlocutory application stands allowed.

JUDGE

JUDGE

Comparing Assistant