

GAHC010256812023



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

Case No. : I.A.(Civil)/3334/2023

NARAYAN PRASAD RABHA AND 16 ORS.
S/O- LATE RAMCHANDRA PRASAD RABHA, VILL- MATIA, PO- MATIA, PIN-
783125, DIST- GOALPARA.

2: UTPAL JYOTI KALITA
S/O- BASUDHAR KALITA
VILL- SUTERKUCHI

P.O.- PINGALESHWAR
DIST.- KAMRUP.

3: JYOTI PRAKASH BARUAH
S/O- GIRISH CH. BARUAH
VILL- BORAH TOLAHJO
P.O.-HAJO
PIN- 781102

4: KANAK CH. GHOSH
S/O LT. ANIL CH. GHOSH

VILL.- GOALTULI
P.O.- GOALPARA
P.S.- GOALPARA
PIN- 783101
DIST.- GOALPARA.

5: SANKAR DEY
S/O- RATAN DEY
VILL- J.N. ROADPO
PS ANDDIST- GOALPARA
PIN- 783101

6: SHOBHAN KUMAR NATH
S/O- TIKAL CH. NATH

VILL-GAROBHATKHAWA PO- BHAGBWAN
PIN- 783129DIST- GOALPARA

7: RAMEN DAS
S/O- LT. HARI DAS
VILL- BARSIBHANI
PO- BAGHMARA BAZAR
P.S- BARPETA PIN- 783101
DIST- BARPETA

8: RASHIDUL ALOM
S/O- AKKASH ALI
VILL- KHUDRAFALADI
PIN- 781305
PO- BHOGDIA
DIST-BARPETA

9: KALYAN DAS
S/O- LATE PRANESWAR DAS
VILL- BANIAPARA
PO- GOALPARA
PIN- 783101
DIST- GOALPARA

10: JEET DAS
S/O- KARTIK DAS
VILL- NARSHINGBARI
PO-GOALPARA
P.S-GOALPARA
PIN- 783121
DIST- GOALPARA

11: SANKAR RABI DAS
S/O LT. SUMER RABI DAS

VILL.- SHASTRINAGAR
P.O.- BALADMARI
P.S.- GOALPARA
PIN- 783121
DIST.- GOALPARA.

12: DINANATH RAJBHAR
S/O- LATE SARJU PD. RAJBHAR
VILL- SHASTRINAGAR
PO- GOALPARA
PIN- 783121
DIST- GOALPARA

13: PABAN PATHAK
S/O- RATNESWAR PATHAK
VILL- NAGAON
COLLEGE ROAD
PO- NAGAON
P.S- NAGAONPIN- 781311
DIST- BARPETA

14: JOY PRAKASH RABI DAS
S/O- LT. SUMER RABI DAS
VILL- SHASTRINAGAR
PO-BALADMARI P.S-GOALPARA
PIN- 783121DIST- GOALPARA.

15: MINA RABI DAS
S/O- LATE SUMER RABI DAS
VILL- SHASTRINAGAR
PO- GOALPARA
PIN- 783121
DIST-GOALPARA

16: DHANJIT DAS
S/O LT. GOBARDHAN DAS

VILL.- GANAK KUCHI
P.O.- BARPETA
P.S.- BARPETA
PIN- 781301
DIST.- BARPETA.

17: DHIRAJ RABHA
S/O LT. PHUKAN RABHA

VILL.- BAPUJINAGAR
P.O.- BALADMARI
P.S.- GOALPARA
PIN- 783121
DIST.- GOALPARA

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF
ASSAM, HEALTH AND FAMILY WELFARE (A) DEPARTMENT, DISPUR,
GUWAHATI- - 781006, ASSAM.

2:THE SECRETARY
TO THE GOVERNMENT OF ASSAM

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

3:THE DIRECTOR OF HEALTH SERVICES
HENGRABARI
GUWAHATI- - 781036
KAMRUP (M) ASSAM.

4:THE JOINT DIRECTOR OF HEALTH SERVICES
GOALPARA
ASSAM.

5:THE SCREENING COMMITTEE
REPRESENTED BY THE CHAIRMAN (ADDITIONAL DIRECTOR OF HEALTH
SERVICES)
HANGRABARI
GUWAHATI- 3

Advocate for the Petitioner : MR M GOSWAMI

Advocate for the Respondent : SC, HEALTH

Linked Case :

NARAYAN PRASAD RABHA AND 16 ORS

VERSUS

THE STATE OF ASSAM AND 4 ORS (A)

Advocate for : MR R SINGHA

Advocate for : appearing for THE STATE OF ASSAM AND 4 ORS (A)

Linked Case :

NARAYAN PRASAD RABHA AND 16 ORS

VERSUS

THE STATE OF ASSAM

Advocate for : MR R SINGHA
Advocate for : appearing for THE STATE OF ASSAM

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.8220/2019 (*Narayan Prasad Rabha & 75 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 14.11.2023 with a delay of 12 days. Hence, this application filed by the appellants as the applicants for condoning the delay of 12 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 12 days in preferring the connected writ

appeal.

5. We have perused the grounds placed by the applicants for condoning the delay of 12 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 12 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 12 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