

GAHC030004372023



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

Case No. : WP(C)/102/2023

Sh. F. Malsawmtluanga and 40 Ors.

S/o Sh. Vanlalruala

R/o Tuithiang Veng, Aizawl, Mizoram

S/o Sh. B. Kapzuava (L)

R/o Chawnpui Veng

Aizawl

Mizoram

2: Sh. Lalnunmawia

3: Smt. Lalbiaknii Ralte Kawlni

D/o Sh. R. Lalhmelmawia

R/o Zotlang

Lunglei

Mizoram

4: Smt. C. Zomawii

D/o Sh. Lalchawimawia

R/o Durtlang

Aizawl

Mizoram

5: Sh. H. Pa-aw

S/o Sh. H. Khailua

R/o Saiha Vengpui

Mizoram

6: Sh. Lalrohlua Hrahse

S/o Sh. H. Lalchamlia

R/o Bazar Veng

Mamit

Mizoram

7: Smt. Lalparmawii

D/o Sh. Lalrinmawia Chhakchhuak (L)

R/o Chawlhmun

Aizawl
Mizoram

8: Smt. F. Zorammawii
D/o Sh. F. Vanlalchhuanga(L)
R/o Electric Veng
Aizawl
Mizoram

9: Smt. Lalhminghlui
D/o Sh. Mangchuha (L)
R/o Bawngkawn
Aizawl
Mizoram

10: Smt. T. Lalmangaihzuali
D/o Sh. Vanlalnghaka (L)
R/o Lunglei Venglai
Lunglei
Mizoram

11: Sh. Alan Lalnunpuia
S/o Smt. Malsawmtluangi (L)
R/o Thakthing Veng
Aizawl
Mizoram

12: Sh. Rohmingthanga Sailo
S/o Dr. Saikunga
R/o Chanmari
Aizawl
Mizoram

13: Sh. Lalvuana
S/o Sh. Malsawma (L)
R/o Tuikual South
Aizawl
Mizoram

14: Sh. T. Kaivunga
S/o Sh. Thantuma (L)
R/o Rahsi Veng
Lunglei
Mizoram

15: Sh. Vanlalhriatpuia
S/o Sh. H.C. Chawngzidinga
R/o Ramhlun Vengthar

Aizawl
Mizoram

16: Smt. C. Vanlalsawmi
D/o Sh. C. Challianngenga
R/o Mission Vengthlang
Aizawl
Mizoram

17: Sh. Anthony Laldintluanga
S/o Sh. Robert Lalthlamuana
R/o Model Veng
Aizawl
Mizoram

18: Sh. Sammy K. Laltlanchhuanga
S/o Sh. K.L. Lianghaka
R/o Ramthar Veng
Aizawl
Mizoram

19: Sh. Rosangluaia
S/o Sh. Ropianguiana
R/o Nursery Veng
Aizawl
Mizoram

20: Sh. Lalingengpuia
S/o Sh. R. Vanlalvena
R/o Tuikual North
Aizawl
Mizoram

21: Smt. Lalhriatpuii
D/o Sh. Rosiamliana
R/o Thingsulthliah
Hospital Area
Mizoram

22: Sh. K. Lalnunmawia
S/o Sh. V.L. Ruala
R/o kawn Veng
Durtlang
Aizawl
Mizoram

23: Sh. Lalsawmliana
S/o Sh. Sanghlira

R/o Laiputlang
Aizawl
Mizoram

24: Sh. Zirtluangzela
S/o Sh. B. Rokima
R/o Tuikhuah Veng
Serchhip
Mizoram

25: Smt. Lalnunpuii
D/o Sh. R. Chopra
R/o Ramhlun South
Aizawl
Mizoram

26: Sh. Lalramnghaka
S/o Sh. Vanlalthuama (L)
R/o Upper Kolasib
Kolasib Vengthar
Mizoram

27: Sh. J.L. Hmingchhuanga
S/o Sh. Lalsangpuia Pachuau
R/o Bethlehem Vengthlang
Aizawl
Mizoram

28: Smt. Lalnunhloi Sailo
D/o Sh. Laldawngliana Sailo
R/o Venghlun
Zemabawk North
Aizawl
Mizoram

29: Smt. Zosangzuali
D/o Sh. Lalmakthanga (L)
R/o Dinthar-I
Aizawl
Mizoram

30: Smt. Melody Hmingsangpuii
D/o Sh. D.K. Lalmalsawma
R/o New Capital Complex
Khatla
Aizawl
Mizoram

31: Smt. Miriam Laltlanmawii
D/o Sh. H. Laltiana
R/o Aizawl Venglai
Aizawl
Mizoram

32: Smt. R. Lalhmachhuani
D/o Sh. R. Lalnithanga
R/o Hunthar Veng
Aizawl
Miozram

33: Smt. Lalbiaknii
D/o Sh. Rohmingliana
R/o Ramhlun South
Aizawl
Mizoram

34: Sh. Lalbiakdika
S/o Sh. V.P. Vuana
R/o Ramhlun Venglai
Aizawl
Mizoram

35: Sh. R. Lalremsanga
S/o Sh. R. Thanghlira (L)
R/o Ramthar Veng
Durtlang
Aizawl
Mizoram

36: Sh. Kawlthanmawia
S/o Sh. Vansanga
R/o Mission Vengthlang
Aizawl
Mizoram

37: Sh. Lalchhuanawma
S/o Venglai Kolasib
Mizoram

38: Sh. V.L. Pianmawia
S/o Sh. Zokhuma
R/o Muanna Veng
Aizawl
Mizoram

39: Smt. Flora Zosangi

S/o Sh. S. Lalzawmliana
R/o Chaltlang Dawrkawn
Aizawl
Mizoram

40: Sh. C. Lalhriatzuala
S/o Sh. Self Daniela
R/o Dinthar-II
Aizawl
Mizoram

41: Sh. Lalsiamthara
S/o Sh. Zothanmawia
R/o Ramthar Veng
Aizawl
Mizora

VERSUS

Mizoram Cooperative Apex Bank Ltd. and Anr.
R/b the Chairman, Mizoram Cooperative Apex Bank Ltd., Head Office, Mizoram
2:The Chief Executive Officer
Mizoram Cooperative Apex Bank Ltd.
Head Office
Mizora

Advocate for the Petitioner : Mr. Joseph Lalchhanhima Renthlei

Advocate for the Respondent : Mr. S. Vanlalhriata for R1 & 2

ORDER

Date : 21.08.2023

BEFORE
HONOURABLE MRS. JUSTICE MARLI VANKUNG

Heard Mr. Joseph L. Renthlei, learned counsel for the petitioners, who has filed the present petition under Article 226 of the Constitution of India for issuance of the appropriate writ against the respondents being aggrieved by the pay given to them by the respondents.

The case of the petitioners is that their pay was wrongly fixed during the

implementation of the 6th Pay and that the wrong pay fixation during the 6th Pay has directly affected their pay after the implementation of the 7th Pay. They submit that they are entitled to have their pay corrected as per the Mizoram (Revision of Pay) Rules, 2010.

The learned counsel also submits that with regards to their grievances, they had filed a representation to the Chairman, Mizoram Cooperative Apex Bank Limited, Head Office, Mizoram and to the Chief Executive Officer, Mizoram Cooperative Apex Bank Limited, Head Office, Mizoram dated 15.09.2022, which is a joined representation claiming for correction of pay and payment of arrear along with interest incurred thereof at the rate/skill in consonance with the relevant Mizoram (Revision of Pay) Rules, 2010 with retrospective effect.

The learned counsel submits that till date, the petitioners have not received any response to the representation filed by them on 15.09.2022 and submits that at this stage, the writ petition can be disposed of with a direction to the respondents to respond to the representation filed by them on 15.09.2022 and that the petitioners may be also allowed to submit the copy of the writ petition for the consideration of the respondents.

Issue notice to the respondents.

Mr. S. Vanlalhriata, learned counsel for the respondent Nos. 1 & 2 accepts notice on their behalf.

Considering the limited prayer made by the learned counsel for the petitioners, the learned counsel for respondent Nos. 1 & 2 has not objected to

the disposal of the writ petition, with a direction that the respondents' response to the letter dated 15.09.2022.

In view of the submissions made by the learned counsels for both the parties, this Court finds it fit to issue direction to the respondents to response to the letter dated 15.09.2022, addressed to the Chairman, Mizoram Cooperative Apex Bank Limited, Head Office, Mizoram and to the Chief Executive Officer, Mizoram Cooperative Apex Bank Limited, Head Office, Mizoram, which is a joined representation claiming for correction of pay and payment of arrear along with interest incurred thereof.

Any additional documents found appropriate for reference may also be submitted by the petitioners to the respondents. The representation of the petitioners is to be considered and disposed of within a period of 4 (four) weeks from the date of receipt of a certified copy of this order.

Accordingly, WP(C) No. 102/2023 stands disposed of with the above directions.

JUDGE

Comparing Assistant