

GAHC020000192023



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

**Case No. : COP(C)/1/2023**

SMT. AVIKA AWOMI  
W/O LT. DR. LHUVETO NYEKHA,  
R/O OF AGRI FOREST COLONY,  
DIST- KOHIMA NAGALAND.

VERSUS

SHRI. Y. KIKHETO SEMA AND ANR  
COMMISSIONER AND SECRETARY,  
DEPARTMENT OF HEALTH AND FAMILY WELFARE,  
NAGALAND KOHIMA

2) DR. VIBEITUONUO MEPFU  
PRINCIPAL DIRECTOR, DEPARTMENT OF HEALTH AND FAMILY WELFARE,  
NAGALAND KOHIMA

**Advocate for the Petitioner : Z. ZHIMOMI**

**Advocate for the Respondent : V. ZHIMOMI, G.ADV, NAGALAND (R1)  
: MOA IMCHEN, SR. G.ADV, NAGALAND (R2)**

**BEFORE  
HON'BLE MRS. JUSTICE MARLI VANKUNG**

**ORDER**

**Date : 10-08-2023**

Heard Ms. Z. Zhimomi, learned counsel for the petitioner along  
with Mr. Moa Imchen, learned Senior Government Advocate for

respondent No. 2. Mr. V. Zhimomi, learned Government Advocate for respondent No. 1 present.

Mr. Moa Imchen, learned senior Government Advocate submits that in compliance with the WP(C)/34/2022, the State respondents have taken the necessary steps and has conveyed that the case of the petitioner has been settled consequent upon the approval of the P&AR Department for appointment to the post of LDA which was issued *vide* letter No. HFW (A)-8/48/2017 dated 28.07.2023. The learned senior Government Advocate has produced the letter with subject: 'Appointment on compassionate ground-matters regarding' dated Kohima, 28<sup>th</sup> July 2023 *vide* No.: HFW (A)-8/48/2017/561, wherein the name shown at serial no. 7 in the order is the instant petitioner and the letter is the administrative approval towards the appointment of the petitioner as LDA. The said letter is marked as 'P-I' and made a part of this file.

Ms. Z. Zhimomi, learned counsel for the petitioner submits that in view of the letter submitted by the learned senior Government Advocate, she has no objection to the disposal of the contempt petition which was filed since the administrative approval towards the appointment of the petitioner as LDA has been issued.

Having heard the submissions made by both the parties wherein it is seen that the judgment and order of this Court in WP(C)/34/2022 dated 16.02.2022, where this Court had ordered that:

*“After perusal of the representation so submitted as well as the Office Memorandum dated 17.09.2015, and for the ends of justice, this Court*

*directs the concerned respondent authorities, more particularly, the respondent No. 3 to consider the representation of the petitioner dated 08.05.2018, and if the petitioner is entitled to be appointed on compassionate grounds in terms with the Notification dated 17.09.2015, the concerned respondent authority shall do so in accordance with law.*

*The concerned respondent authority shall complete the exercise of consideration of the petitioner's representation within a period of 4 (four) months from the date a certified copy of this order is served upon the respondent No. 3."*

it is seen that in view of the letter dated 28.07.2022 which is an administrative approval towards the appointment of the petitioner as LDA on compassionate grounds, filed by the learned senior Government Advocate, the State respondents have complied with the judgment and order dated 16.02.2022.

Accordingly, COP(C)/1/2023 stands closed and disposed of.

Sd/-  
**JUDGE**

**Comparing Assistant**