

GAHC040016502024



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

Case No. : WP(C)/564/2024

Dr Nikh Payo
Son of Shri Nikh Bath, permanent resident of C Sector, Naharlagun, PO and PS
Naharlagun, Papum Pare District, Arunachal Pradesh.

VERSUS

The State of AP and 4 Ors
represented by the Commissioner, Health and Family Welfare, Govt of Arunachal
Pradesh, Itanagar. 2:The Deputy Commissioner cum Chairman
Age: 0
Occupation :
National Oral Health Mission
Changlang District
Arunachal Pradesh.

3:The District Medical Officer
Age: 0
Occupation :
Changlang District
Arunachal Pradesh.

4:The Medical Superintendent cum Nodal Officer
Age: 0
Occupation :
Changlang District
Arunachal Pradesh.

5:Dr Jimmikam Tikhak
Age: 0
Occupation :
presently posted as Dental Surgeon
Community Health Centre Diyun
PO and PS Diyun

Changlang District
Arunachal Pradesh

Advocate for the Petitioner : Rintu Saikia, Idak Bam, Ligam Nochi

Advocate for the Respondent : GA (AP), SC(Health), Taba Tagum

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

Date : 11.12.2024

Heard Mr. R. Saikia, learned counsel for the petitioner and Mr. T. Tagum, learned Standing counsel for the respondent Nos. 1, 3 and 4. Also heard Mr. S. Tapin, learned Senior Government Advocate for the respondent No. 2.

2. Pursuant to the order dated 03.12.2024, Mr. Tapin, learned Senior Government Advocate for the respondent No. 2 has produced the relevant file relating to selection process and submits that Annexure-4, which is enclosed with the petition, was never issued by the Office of the respondent No. 2.

3. At this stage, Mr. Saikia, learned counsel for the petitioner submits that the petitioner has submitted one representation before the respondent No. 2 on 18.11.2024 and the said representation is yet to be disposed of and as such, this writ petition may be disposed of by directing the respondent No. 2 to dispose of the representation of the petitioner dated 18.11.2024, within a period of one week from the date of receipt of certified copy of this order.

4. It is to be noted here that the petitioner, being a Bachelor of Dental Surgery from Dr. Bhimrao Ambedkar University, Agra, had applied for the post of Dental Surgeon under National Oral Health Program on contractual basis, pursuant to the advertisement issued on 30.10.2024, by the Deputy Commissioner-cum-Chairman, National Oral Health Mission, Changlang district,

Arunachal Pradesh, and pursuant to the said advertisement, the petitioner had submitted an application and he was called for the walk-in-interview on 18.11.2024. But, he was not allowed to appear in the interview, though his name was published by the respondent No. 2, vide corrigendum dated 14.11.2024, Annexure 4, to the writ petition. Being aggrieved, he has approached this Court by filing the present petition.

5. Having heard the submissions of learned Advocates of both sides, and also considering the facts and circumstances on the record, this Court is inclined to dispose of this petition by directing the respondent No. 2/Deputy Commissioner-cum-Chairman, National Oral Health Mission, Changlang district, Arunachal Pradesh, to dispose of the representation of the petitioner, dated 18.11.2024, by passing a reasoned order within a period of one week from the date of receipt of certified copy of this order.

6. The petitioner shall obtain a certified copy of this order and place the same before the respondent No. 2 within a period of three days from today.

7. The parties have to bear their own cost.

JUDGE

Comparing Assistant