

GAHC010050712023



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

Case No. : WP(C)/1342/2023

ALI HAIDOR BARBHUIYA
S/O- LATE MASHROF ALI BARBHUIYA,
VILL- NEARGRAM PART I,
P.O- NEARGRAM,
DIST- CACHAR, ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS
REP. BY THE COMMISSIONER AND SECRETARY OF THE GOVT. OF ASSAM,
ENVIRONMENT AND FOREST DEPARTMENT
DISPUR, GUWAHATI-06., ASSAM

2:THE PRINCIPAL SECRETARY
TO THE GOVERNMENT OF ASSAM

DEPARTMENT OF FINANCE
DISPUR

GUWAHATI-06.

3:THE PRINCIPAL CHIEF CONSERVATOR OF FOREST
AND HEAD OF FOREST FORCE
ASSAM

ARANYA BHAWAN
PANJABARI ROAD
GUWAHATI
ASSAM
PIN- 781037.

4:THE CHIEF CONSERVATOR OF FOREST

SOUTHERN ASSAM CIRCLE
SILCHAR-01

5:THE DIVISIONAL FOREST OFFICER
KARIMGANJ DIVISION
KARIMGANJ

Advocate for the Petitioner : MS. R CHOUDHURY

Advocate for the Respondent : SC, FOREST

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

Date : 24.01.2024

Heard Ms. R. Choudhury, learned counsel for the petitioner. Also heard Mr. I. Borthakur, learned standing counsel, Forest and Mr. R. Borpujari, learned standing counsel, Finance Department.

2. Mr. I. Borthakur, learned standing counsel, Forest Department submits that if the petitioners file a fresh representation, their cases will be considered by the department and appropriate orders thereon will be passed.

3. Such submission is not objected to by the learned counsel for the petitioner. In any event, the prayer made in the writ petition is to include the name of the petitioner in the list of casual workers under Karimganj Forest Division for grant of minimum pay scale in terms of the Judgment and Order dated 08.06.2017 in the case of *State of Assam Vs Upen Das* in WA No. 45/2014.

4. If that be so taking into consideration the submissions made by the respondent counsel, the writ petition stands closed permitting the writ petitioner to approach the Principal Chief Conservator of Forest & Head of Forest Force,

Assam/respondent No.3 to file the necessary applications ventilating the grievances of the petitioner for include his name in the list of casual workers working under Karimganj Forest Division and thereafter grant minimum scale of pay as it is submitted that the petitioner was rendering his services as a casual worker and his name ought to have been included in the same list. Such representation if filed, shall be considered and disposed of by way of a speaking order within a period of 30 (thirty) days from the date of the receipt of a certified copy of the order, along with such representation as directed to be filed.

5. Writ petition is accordingly disposed of in terms of the above.

JUDGE

Comparing Assistant