

GAHC010071452024



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

**Case No. : WP(C)/2096/2024**

FORIZ UDDIN LASKAR AND ANR  
S/O- LATE ARJUMOND ALI LASKAR,  
VILLAGE- KANCHANPUR PART-II,  
P.O.- KANCHANPUR,  
P.S. AND DIST.- HAILAKANDI, ASSAM.

2: JUAIDUR RAHMAN BARBHUIYA  
S/O- LATE ROJOB UDDIN BARBHUIYA  
VILLAGE- VICHINGCHA PART-I  
P.O.- VICHINGCHA  
DIST.- HAILAKANDI  
ASSAM

VERSUS

THE STATE OF ASSAM AND 8 ORS  
REPRESENTED BY THE COMMISSIONER PRINCIPAL SECRETARY TO THE  
GOVT. OF ASSAM,  
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT,  
DISPUR, GUWAHATI- 781006.

2:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM  
FINANCE DEPARTMENT  
DISPUR  
GUWAHATI-6.

3:THE COMMISSIONER  
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT  
JURIPAR  
PANJABARI  
GUWAHATI- 37.

4:THE UNDER SECRETARY TO THE GOVT. OF ASSAM  
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT

DISPUR  
GUWAHATI- 781006.

5:THE CHIEF EXECUTIVE OFFICER  
HAILAKANDI ZILLA PARISHAD  
DISTRICT- HAILAKANDI  
ASSAM.

6:THE B.D.O.  
HAILAKANDI DEV. BLOCK  
P.O. AND P.S. AND DISTRICT- HAILAKANDI

ASSAM.

7:THE B.D.O.  
LALA DEV. BLOCK  
P.O.- LAXMI SAHAR  
P.S. AND DISTRICT- HAILAKANDI  
ASSAM.

8:THE SECRETARY  
DOLCHERRA BILAIPUR GAON PANCHAYAT  
P.O.- BILAIPUR  
DIST.- HAILAKANDI.

9:THE SECRETARY  
BASHDAR BORHAILAKANDI GAON PANCHAYAT  
P.O.- BORHAILAKANDI

P.S. AND DIST.- HAILAKANDI  
ASSAM

**Advocate for the Petitioner** : MR. A M BARBHUIYA

**Advocate for the Respondent** : SC, P AND R.D.

**BEFORE**  
**HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

**ORDER**

**Date : 10-04-2024**

Heard Mr. A.M Barbhuiya learned counsel for the petitioners. Also heard Mr. P Handique learned standing counsel, PNRD representing the

respondent Nos.1, 3 to 7 and Ms. R.M. Barua learned standing counsel, Finance Department representing the respondent No.2.

In view of the nature of order that is being passed in the present proceeding by this court, service of notice upon the respondent Nos.8 and 9 is deemed to be not necessary.

As consented to by the learned counsel for the parties, this writ petition is taken up for final consideration and disposal.

The petitioners herein were engaged as casual workers by the authorities of the Dholcherra Bilaipur Gaon Panchayat and Bashdhar Barhailakandi Gaon Panchayat on 10.03.1995 and 31.03.2003 respectively.

The petitioners contend that since the date of their initial appointment, they have been working at their respective Gaon Panchayat till date continuously. However, their services were not regularized. It is the contention of the petitioners that their names were duly forwarded by the departmental authorities, however, the case of the petitioners for regularization was not considered.

The petitioners submit that their case is covered by the judgment and order dated 08.06.2017 passed by this court in Writ Appeal No.45/2014 and they are also entitled to the benefits as extended by this court to similar situated casual workers. Accordingly it is prayed that the case of the petitioners be directed to be considered by the respondent authorities in the light of the decision in the above noted case.

In view of the above, the petitioners herein are permitted to submit individual representation to the Commissioner, Panchayat and Rural Development Department highlighting their grievances and make a claim for being extended with the benefit as was extended by this court vide judgment and order dated 08.06.2017 in Writ Appeal No.45/2014.

On receipt of such individual representation from the petitioners,

the Commissioner, Panchayat and Rural Development Department shall verify the claims as made by the petitioners with regard to the services being rendered by them on causal basis and thereafter on considering the matter and on being satisfied that the case of the petitioners is also covered by the directions passed by this court vide the judgment and order dated 08.06.2017 in Writ Appeal No.45/2014, consequential orders extending similar benefits to the petitioner be issued.

The above exercise as now required to be carried out by the Commissioner, Panchayat and Rural Development Department, Assam shall be initiated and concluded by the said authority within a period of 2 months from the date of receipt of a certified copy of this order along with the representations so filed by the petitioners.

With the above observations and directions, the writ petition stands disposed of.

**JUDGE**

**Comparing Assistant**