

GAHC010158402024



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

Case No. : I.A.(Civil)/2562/2024

CHANDANA SONOWAL AND 4 ORS
W/O- SRI MANOJ PHUKAN,
R/O- HATIGAON, LAKHI NAGAR,
P.S.- HATIGAON,
DIST.- KAMRUP(M), ASSAM,
PIN- 781038.

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY, W.P.T. AND B.C.
DEPARTMENT, DISPUR, GUWAHATI- 781006.

Advocate for the Petitioner : MR K K MAHANTA (Sr. Advocate),

Advocate for the Respondent : SC, WPT AND BC,

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI
ORDER

04.10.2024

Heard Mr. K.M. Mahanta, learned counsel for the applicants.

2. This interlocutory application, under Order I Rule X read with Section 151 of the C.P.C., is preferred by applicants for impleadment of Department of Social Justice and Empowerment represented by the Principal Secretary to the Government of Assam and Department of Tribal Affairs (Plain) represented by its

Secretary to the Government of Assam, as respondent Nos. 4 & 5 in the accompanying writ petition.

3. It appears that the accompanying writ petition has been filed by the petitioners, seeking salaries along with other benefits, as per their grade, from the date of their appointment.

4. It also appears that the said two authorities are essential and necessary to have been impleaded as party respondents for effective adjudication of the writ petition have been inadvertently not arrayed as party respondent and accordingly, by way of this interlocutory application, impleadment of the said two authorities have been sought for.

5. The details of the said two authorities, which are sought for impleadment as respondent Nos. 4 & 5 in the accompanying writ petition are read as under :-

“1. Principal Secretary to the Govt. of Assam,
Department of Social Justice & Empowerment,
1st Floor, D-Block, Janata Bhawan,
Dispur, Guwahati - 06, Assam.

2. Department of Tribal Affairs (Plain), represented by
its Secretary to the Government of Assam,
D-Block, Ground Floor, Janata Bhawan,
Dispur, Guwahati - 781006, Assam.”

6. Thus, it appears that the presences of the aforesaid two respondents are essential and necessary for effective adjudication of the writ petition. Accordingly, this interlocutory application is **allowed** by directing impleadment

of the Department of Social Justice and Empowerment represented by the Principal Secretary to the Government of Assam and Department of Tribal Affairs (Plain) represented by its Secretary to the Government of Assam, as respondent Nos. 4 & 5 in the accompanying writ petition.

7. Let new amended cause-title be submitted for doing the needful.

JUDGE

Comparing Assistant