

GAHC010177732015



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

**Case No. : Cont.Cas(C)/467/2015**

MD. RAFIK ALI 319 and 3 ORS.

S/O- MD. MAHAMMADSHA ALI, R/O VILL. and P.O.- BIHDIA, P.S.- BAIHATA  
CHARIALI, DIST.- KAMRUP R, ASSAM.

2: PRAFULLA CH. KALITA 320

S/O- SRI PAKHIRAM KALITA  
R/O VILL. and P.O.- BIHDIA  
P.S.- BAIHATA CHARIALI  
DIST.- KAMRUP R  
ASSAM.

3: TAFIK ALI 321

S/O- MD. ALIBOR ALI  
R/O VILL. and P.O.- BIHDIA  
P.S.- BAIHATA CHARIALI  
DIST.- KAMRUP R  
ASSAM.

4: MANJUR ALI 322

S/O- MD. PAHARSHA ALI  
R/O VILL. and P.O.- BIHDIA  
P.S.- BAIHATA CHARIALI  
DIST.- KAMRUP R  
ASSAM

VERSUS

MANISH THAKUR and 3 ORS.

THE COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM, HEALTH AND  
FAMILY WELFARE DEPTT., DISPUR, GHY- 6.

2:SRI R. BAISHYA

DIRECTOR OF HEALTH SERVICES MALARIA  
ASSAM

HENGRABARI  
GHY- 36  
KAMRUP M  
ASSAM.

3:BISHNU KAMAL BARDOLOI  
THE JOINT DIRECTOR OF HEALTH SERVICE  
HENGRABARI  
GHY- 36  
KAMRUP  
ASSAM.

4:RITUPARNA RAJKONWAR  
DIST. MALARIA OFFICER  
AMINGAON  
KAMRUP  
ASSAM

**Advocate for the Petitioner** : MRS.K H CHOUDHURY

**Advocate for the Respondent** : MR. B GOGOI

**BEFORE**  
**HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY**

**ORDER**

**02.02.2024.**

Heard the learned counsel for the parties.

The petitioners who were working as Superior Field Worker and Field Workers under Malaria Action Programme approached before this Court with a grievance that their services has not been regularized.

This Court under its order dated 22.08.2014 passed in WP(C) No. 597/2009, held that so long as Malaria Action Programme continues, the petitioner should be allowed to continue subject to discharge on medical or disciplinary ground or on attaining age of superannuation. Accordingly, it was directed to treat the petitioners as reserved force for engagement as Seasonal Superior Field Workers and Field Workers and

continue to engage them until the Malaria Action Programme comes to an end.

Mr. A. Chaliha, learned counsel submits that Malaria Action Programme is no more continuing.

The petitioners have not also taken steps for issuance of notice upon the respondent Nos. 2 and 3 till date.

The record of this proceeding also reflects that on 17.10.2023, Mr. J. I. Borbhuiya, learned counsel for the petitioners prayed to complete his instruction as he was not in touch with the petitioners' for long time.

When the matter was listed on 01.12.2023 once again adjournments were sought for to obtain instruction in terms of this Court's order dated 17.10.2023. When the matter is listed today, Mr. A. Hussain, learned counsel for the petitioners submits that they have no connection with the petitioners and could not obtain any instruction till date to take steps.

In that view the matter, this Court closes this contempt petition for want of steps with a liberty to the petitioners to file necessary application for re-opening the case, if so advised.

Accordingly, this contempt petition stands closed.

**JUDGE**

**Comparing Assistant**