

GAHC010192062013



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

Case No. : WP(C)/1048/2013

MD. MAJIBUR RAHMAN
S/O MD. RAHMAT ALI R/O VILL- DOLBARI P.O. SOLMARI
P.S. and DIST. MORIGAON, ASSAM.

VERSUS

1: THE STATE OF ASSAM AND 2 ORS REP. BY THE MISSION DIRECTOR,
NATIONAL RURAL HEALTH MISSION, ASSAM, and SECRETARY, HEALTH
AND FAMILY WELFARE DEPARTMENT, GOVT. OF ASSAM, HOUSE NO. 16,
JANA PATH, OPPOSITE KENDRIYA VIDYALAYA KHANAPARA, GUWAHATI-
22.

2: THE JOINT DIRECTOR OF HEALTH SERVICES CUM MEMBER
SECRETARY DISTRICT HEALTH SOCIETY SONITPUR DISTRICT.

3: THE STATE FINANCE MANAGER
NATIONAL RURAL HEALTH MISSION ASSAM

Advocate for the Petitioner : MR.D K DAS

Advocate for the Respondent : SC, HEALTH

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 23-01-2024

Heard Mr. D. Duara, learned counsel for the petitioner. Also heard Mr. B. Gogoi, learned standing counsel, Health Department, representing all the respondents.

Mr. Duara, learned counsel for the petitioner, at the outset, submits that the petitioner in the present proceeding would be satisfied if a direction is issued for consideration of his case for payment of wages from May, 2011 till 07.09.2011, i.e. the date when he was terminated from his services.

In view of the said submission of the learned counsel for the petitioner, Mr. B. Gogoi, learned counsel representing the respondents has submitted that the petitioner may be required to file a representation before the Mission Director, National Health Mission, Assam, highlighting his grievances and bring on record the justification for the said prayer.

The prayer of the petitioner is accepted.

The petitioner is required to approach the Mission Director, National Health Mission, Assam by way of a representation raising a grievance with regard to non-payment of his wages for the period from May, 2011 to 07.09.2011 along with the justification for such claim. The petitioner shall also furnish a certified copy of this order along with the representation to the Mission Director, National Health Mission, Assam. The Mission Director, on receipt of such representation from the petitioner along with a certified copy of this order, shall take into record the same and after considering the matter in consultation with the contemporaneous records and also upon affording an opportunity of hearing to the petitioner, shall come to a conclusion with regard to the claim made by the petitioner. The conclusions that may be arrived at shall be communicated to the petitioner in the form of a speaking order and therein all the issues raised by the petitioner must be considered. The above exercise shall be initiated and completed within a period of 3(three) months from the date of receipt of the representation along with a certified copy of this order from the petitioner.

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

JUDGE

Comparing Assistant