

GAHC010243982023



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

Case No. : WP(C)/6311/2023

AZIZUR RAHMAN
S/O- LATE IMAN UDDIN SK,
R/O- VILL- MODHUSOULMARI,
P.O AND P.S- GAURIPUR,
DIST- DHUBRI, ASSAM, PIN-783331

VERSUS

THE STATE OF ASSAM AND 6 ORS
REP. BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM, DISPUR, GHY-
06

2:THE COMMISSIONER AND SECRETARY

TO THE GOVERNMENT OF ASSAM
MEDICAL AND HEALTH DEPARTMENT
DISPUR
GUWAHATI- 781006.

3:THE DIRECTOR OF HEALTH SERVICES
HENDERABARI
GHY-36
DIST.- KAMRUP (M)
ASSAM

4:THE CHIEF MEDICAL AND HEALTH OFFICER
DHUBRI
ASSAM
PIN-783301

5:THE JOINT DIRECTOR
HEALTH SERVICE

DHUBRI
ASSAM
PIN-783301

6:THE SUPERINTENDENT
DHUBRI MEDICAL COLLEGE AND HOSPITAL

DHUBRI
ASSAM
PIN-783301

7:THE PRINCIPAL
DHUBRI MEDICAL COLLEGE AND HOSPITAL

DHUBRI
ASSAM
PIN-78330

Advocate for the Petitioner : MR. M U MONDAL

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

27.03.2024

Heard Mr. M.U. Mondal, learned counsel for the petitioner. Also heard, Ms. S. Sarma, learned counsel for the respondent Nos. 2 to 7 and Mr. K. Gogoi, learned Additional Senior Government Advocate for the respondent No. 1.

By filing this petition, the petitioner is canvassing his grievance that the arrear salary amount of Rs. 2,70,000/- as per the Notification dated 08.03.2019 has not yet been released w.e.f. 01.12.2018 and 3% annual increment as per the Notification dated 22.02.2023 w.e.f. 01.04.2023 and other allowance.

The specific case of the petitioner is that by Order dated 02.07.1991, the

petitioner was appointed as Casual employee and attached to Paglahat Sub-Centre (S/C) on daily wages basis and thereafter, he has joined on the said post as Grade-IV employee on 04.07.1991 and has been discharging his duties till date without any break.

On 03.09.2009, the Joint Director of Health Services, Dhubri, asked the petitioner to submit Treasury Bank (SBI) Account Number to the Joint Director of Health Service, Dhubri and accordingly, the petitioner submitted the aforesaid details for release of his salary. However, the salary was not released to the petitioner and accordingly he had filed the representation on 12.10.2023 before the Director of Health Services, Assam for release of his arrear salary.

The specific case of the petitioner is that his representation has not been attended to till date.

I have heard the submissions made by the parties and I have perused the materials available on record.

It appears that the representation is pending since November, 2023 and despite order of this Court for instructions way back on 06.11.2023, no instructions has come till date.

Considering the stake involved, i.e. Right to Livelihood of the petitioner, this Court is of the considered view that for ends of justice, this writ petition can be disposed of with a direction to the respondents, especially respondent No. 3, i.e. Director of Health Service, Assam, Hengrabari, Guwahati to consider the representation dated 12.10.2023 filed by the petitioner expeditiously preferably within a period of one month from the date of receipt of a certified copy of this order.

Ordered accordingly.

It is needless to clarify that the exercise should be carried out within the timeframe as mentioned above.

With the aforesaid direction and observation, this writ petition stands disposed of.

Learned counsel for the petitioner shall furnish a copy of this order to the respondents for doing the needful.

JUDGE

Comparing Assistant