

GAHC010282922023



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

Case No. : WP(C)/888/2024

ABUL KALAM AZAD AND 11 ORS
S/O KURPAN ALI
RESIDENT OF VILLAGE SAND BLOCK, PO JARUARCHAR DIST. DHUBRI,
ASSAM

2: SAIDUL ISLAM
S/O HANIFA SK
RESIDENT OF VILLAGE KOTAGURI
PO BHOTGAON
DIST DHUBRI
ASSAM

3: SALIMA KHATUN
D/O HAJARAT ALI
RESIDENT OF VILLAGE CHIRAKHUWA PART III
PO JARUARCHAR
DIST DHUBRI
ASSAM

4: HATEM ALI
S/O SAKAT ALI
RESIDENT OF VILLAGE CHIRAKHOWA PART III
PO JARUARCHAR
DIST DHUBRI
ASSAM

5: ROFIQUL ISLAM
S/O NAYEB ALI
RESIDENT OF VILLAGE BANIAMARI
PO MAKRIJHORA
DIST DHUBRI
ASSAM

6: ASIYA KHATUN
D/O AFTER ALI

RESIDENT OF VILLAGE SAPORTGRAM
PO SAPOTGRAM
DIST DHUBRI
ASSAM

7: LAL MIYA SK
S/O ABDUL HAMID
RESIDENT OF VILLAGE ALOMGANJ PART VI
PO ALOMGANJ
DIST DHUBRI
ASSAM

8: SABINA BEGUM
D/O AJGAR ALI
RESIDENT OF VILLAGE MANICHAR
PO SARKARERGAON
DIST. DHUBRI
ASSAM

9: SHAHINUR ISLAM
S/O TOTA MIYA
RESIDENT OF VILLAGE PIYAZBARI
PO MAKRIJHORA
DIST DHUBRI
ASSAM

10: MAJNUR RAHMAN
S/O JAYNAL ABDIN
RESIDENT OF VILLAGE PO BAHATIPETELA
DIST DHUBRI
ASSAM

11: ISMAIL HUSSAIN
S/O A. SAMAD DEWAN

RESIDENT OF VILLAGE GANAKPARA
PO CHENGA
DIST BARPETA
ASSAM

12: REJINA KHATUN
D/O SIRAJUL HAQUE
RESIDENT OF VILLAGE SAJUARKATI
PO GAURIPUR
DIST DHUBRI
ASSA

VERSUS

THE STATE OF ASSAM AND 4 ORS
THROUGH THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM,
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT, DISPUR
GUWAHATI 781006

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

3:THE COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
PANJABARI
JURIPARA
GUWAHATI 37

4:THE JOINT DIRECTOR
O/O THE COMMISSIONERATE
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
ASSAM
PANJABARI
JURIPAR
GUWAHATI 781037

5:THE CHIEF EXECUTIVE OFFICER

DHUBRI ZILLA PARISHAD
PO AND DIST DHUBRI
ASSA

Advocate for the Petitioner : MR. R MAJUMDAR

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

BEFORE
HON'BLE MR. JUSTICE LANUSUNGKUM JAMIR

ORDER

21.02.2024

Heard Mrs. S.D. Choudhury, learned counsel for the petitioners. Also heard Mr. P. Handique, learned counsel appearing on behalf of Mr. K. Konwar, learned

Senior Standing Counsel, P&RD, for respondent Nos.1, 3, 4 and 5 and Mr. P. Nayak, learned Standing Counsel, Finance Department, for respondent No.2.

2. The petitioners are working as Tax Collectors/Road Mohorers/Office Peons on casual basis in different Gaon Panchayats under the office of the Chief Executive Officer, Dhubri Zilla Parishad.

3. The grievance of the petitioners before this Court is that their names are not included in the Pre-Assam Fiscal Responsibilities Budget Management List (in short, the AFRBML).

4. By way of the present writ petition, the petitioners are praying for inclusion of their names in the AFRBML .and also for minimum scale of pay.

5. Mr. Handique, learned counsel appearing on behalf of Mr. Mr. K. Konwar, learned Senior Standing Counsel, P&RD submits that if the petitioners make individual representation along with their appointment orders, then the respondents would consider the matter within a specific period of time.

6. Recording the submission made by Mr. Handique, learned counsel appearing on behalf of Mr. K. Konwar, learned Senior Standing Counsel, P&RD, this writ petition is disposed of directing the petitioners to make individual representation to the concerned authority annexing their appointment orders within a period of two weeks from today. Thereafter, the concerned authority shall examine their individual representation and take a decision as to whether the petitioners can be included in the AFRBML prepared by the Department on 01.01.2020.

7. The entire exercise should be carried out and completed within a period of three months from the date of receipt of individual representation from the petitioners.

8. With the above observations and directions, this writ petition is disposed of.

JUDGE

Comparing Assistant