

GAHC010294252023



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

Case No. : WP(C)/46/2024

GIRISH CHANDRA DAS
S/O- LATE DHANA RAM DAS,
VILL.- AKNA, P.O.- BORAJOL,
DIST.- NALBARI, ASSAM.

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF
ASSAM,
HEALTH AND FAMILY WELFARE DEPARTMENT, ASSAM,
DISPUR, GUWAHATI- 781006.

2:THE DIRECTOR OF HEALTH SERVICES
ASSAM
HENGGRABARI
GUWAHATI-36.

3:THE JOINT DIRECTOR OF HEALTH SERVICES
NALBARI
ASSAM
PIN- 781335

Advocate for the Petitioner : MR. N H BARBHUIYA

Advocate for the Respondent : SC, HEALTH

BEFORE
HON'BLE MR. JUSTICE LANUSUNGKUM JAMIR
O R D E R

26.02.2024

Heard Mr. I. Hussain, learned counsel for the petitioner. Also heard Mr. D.P. Borah, learned Standing Counsel, Health Department, Government of Assam.

By this writ petition, the petitioner is challenging the speaking order dated 01.09.2023 issued by the Director of Health Services, Assam by which it has been held that the petitioner will not be entitled to claim previous in-service benefits as well as the claim of seniority for promotion to the next higher cadre post (i.e., from LDA/Junior Assistant to Senior Assistant from the initial date of joining as Basic Health Worker and the seniority will be counted only from the date of joining as LDA/Junior Assistant).

Learned counsel for the petitioner submits that the petitioner has filed a representation before the Director of Health Services, Assam/respondent No.2 on 20.10.2023 and this writ petition may be disposed of by directing the respondent No.2 to consider the representation dated 20.10.2023.

Mr. Borah, learned Standing Counsel, Health Department, Government of Assam has no objection.

Accordingly, this writ petition is disposed of directing the Director of Health Services, Assam to consider and dispose of the representation dated 20.10.2023 made by the petitioner in accordance with law by a speaking order within a period of one month from the date of receipt of a copy of the order of this Court.

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

JUDGE

Comparing Assistant