



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

Case No. : Review.Pet./2/2024

DR. VIJOHO SAKHRIE AND 8 ORS
MEDICAL OFFICER (DOCTOR),
PRIMARY HEALTH CENTRE, JAKHAMA

2: DR. HOLIBA ANAR
MEDICAL OFFICER (DOCTOR)
DISTRICT HOSPITAL KIPHIRE

3: DR. RUOKUOZOTUO MEZHU
MEDICAL OFFICER (DOCTOR)
DISTRICT HOSPITAL PHEK

4: DR. NUTALU SWORO
MEDICAL OFFICER (DOCTOR)
PRIMARY HEALTH CENTER
KHUZA

5: DR. RUKUTO TETSEO
MEDICAL OFFICER (DOCTOR)
PRIMARY HEALTH CENTRE
PEREN

6: DR. ROSEMARY SEMA
MEDICAL OFFICER (DOCTOR)
COMMUNITY HEALTH CENTRE
NUILAND

7: DR. MHANJAN KIKON
MEDICAL OFFICER (DOCTOR)
PRIMARY HEALTH CENTRE
ENGLAN.

8: DR. SUNGTIKUMBA I IMCHEN
MEDICAL OFFICER (DOCTOR)

PARAMEDICAL TRAINING INSTITUTE
KOHIMA

9: DR. KEZHALETUO KIRE
MEDICAL OFFICER (DOCTOR)
PARAMEDICAL TRAINING INSTITUTE
KOHIMA

VERSUS

THE STATE OF NAGALAND AND 3 ORS
REPRESENTED BY THE CHIEF SECRETARY, NAGALAND, KOHIMA

2:THE COMMISSIONER AND SECRETARY
PERSONNEL AND ADMINISTRATIVE REFORM (P AND AR)
NAGALAND
KOHIMA

3:THE COMMISSIONER AND SECRETARY
DEPARTMENT OF HEALTH AND FAMILY WELFARE
NAGALAND
KOHIMA

4:THE PRINCIPAL DIRECTOR
DEPARTMENT OF HEALTH AND FAMILY WELFARE
NAGALAND
KOHIMA

Advocate for the Petitioner : C. T. JAMIR, SR. ADV

Advocate for the Respondent : GOVT ADV NL

BEFORE
HON'BLE MR. JUSTICE NELSON SAILO

ORDER

Date : 16-02-2024

Heard Mr. C.T. Jamir, learned senior counsel assisted by Mr. Aliba Ozukum, learned counsel for the review petitioner and Mr. Moa Imchen, learned State counsel for the State respondents.

Considering the ground raised in the instant petition, the same is taken up for disposal at this stage.

By filing this review petition the petitioner seeks review of the judgment and order dated 13/2/2024 passed by this Court in W.P.(C) 70/2023 whereby this Court declined to grant any relief to the petitioners as was prayed for. Claiming that there is a subsequent development in view of the Cabinet decision taken on 8/2/2024 and circulated on 12/2/2024, the petitioners have filed this instant review petition.

Mr. C.T. Jamir, learned senior counsel submits that as per the agenda No.6 of the Cabinet meeting minutes dated 8/2/2024, the Cabinet has taken a policy decision to regularize the services of contract/adhoc employees as one time dispensation for all categories of employees appointed prior to 6/6/2012 against sanctioned post who have completed 10 years of service and above. The learned senior counsel submits that the review petitioners falls in this category and unless the judgment and order passed by this Court on 13/2/2024 is recalled, the petitioners may not have the opportunity to be considered as per the Cabinet decision.

Be stated herein, petitioners have approached this Court through W.P.(C) 70/2023 with 2 specific prayers:-

1. Top set aside and quash the impugned Agenda No.1(F) of the Cabinet decision dated 23/6/2020
2. To direct the respondent authorities to regularize the petitioners in terms of the Agenda No.1(7) of the Cabinet decision dated 11/6/2020.

However, this Court upon considering the materials available on record declined to grant relief to the writ petitioners as was prayed for. Considering the same, this Court is of the considered view that no grounds for review has been made out by the petitioners. In other words, the Cabinet has taken a decision on its own to grant the benefit of regularization to contract employees working on sanctioned post for a period of 10 years prior to 6/6/2016. If the review petitioners falls in that category it is entirely up to the respondent authorities concerned to grant them such relief.

In view of above, this Court sees no reason to review the judgment and accordingly, the review petition stands disposed of in terms of the observation made herein above.

**Sd/-
JUDGE**

Comparing Assistant