

GAHC020000922024



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

Case No. : WP(C)/33/2024

MRS. WANPEN KONYAK
WORK CHARGED SWEEPER, PWD (R AND B)
MON DIVISION
R/O S/ CHINGNYU VILLAGE
MON NAGALAND

VERSUS

THE STATE OF NAGALAND AND 5 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF NAGALAND
2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF
NAGALAND
NPWD (R AND B)
NAGALAND KOHIMA

3:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF NAGALAND
P AND AR DEPT. NAGALAND KOHIMA

4:THE ENGINEER-IN-CHIEF
NPWD NAGALAND KOHIMA

5:THE CHIEF ENGINEER
NPWD (R AND B)
NAGALAND KOHIMA

6:THE EXECUTIVE ENGINEER
PWD (R AND B)
MON DIVISION
KOHMA NAGALAN

Advocate for the Petitioner : H H KINIMI

Advocate for the Respondent : GOVT ADV NL

**BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

ORDER

Date : 29-02-2024

- 1.** Heard Mr. H.H. Kinimi, learned counsel for the petitioner and Ms. A. Ayemi, learned Government Advocate, Nagaland.
- 2.** The petitioner Mrs. Wanpen Konyak has filed this application under Article 226 of the Constitution of India for issuance of the Writ of Mandamus or Certiorari or any other appropriate writ, order or direction to the respondents to regularise the service of the petitioner from the day of completion of 30 years of service, with all consequential benefits. It is further prayed that the State respondent is to apply the same yardstick applied for similarly situated person and regularise her service.
- 3.** The learned counsel for the respondents has submitted that the revision petition marked as Annexure-E of the writ petition is yet to be considered and the representation would be considered by the respondents as per the applicable norms. The petitioner's case is that the petitioner is appointed as Worked Charged Sweeper by Order vide Memo No. MD/WC-4/608-09(A) w.e.f. 18.06.1991. It is further submitted that the petitioner has served the department over 33 years and is still in service. As per Office Memorandum bearing No. AR-3/GEN-201/2009 dated 17.03.2015 of Class-1(a) all existing Work-charged and casual employees of various departments who have completed 30 years or more in continuous services as on

01.01.2015, they are to be regularised. However, in spite of the above mentioned Office Memorandum dated 17.03.2015 the services of the petitioner has not been regularised.

4. It is submitted at the Bar that the representation of the petitioner is still under consideration and considering the submissions at the Bar with circumspection the respondent No. 5 is directed to consider the representation of the petitioner a per the OM No. AR-3/GEN-201/2009 dated 17.03.2015.

5. In terms of the above observations, this petition is disposed of.

Sd/-

JUDGE

Comparing Assistant