



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

Case No. : WP(C)/108/2022

SHRI. RUGUOZELIE PAPHINO AND 6 ORS
REGISTRAR (ACTING), OFFICE OF THE STATE CONSUMER DISPUTES
REDRESSAL COMMISSION, KOHIMA NAGALAND 2: SMTI.
KHRIEKETOUNUO
SWEEPER
OFFICE OF THE CONTROLLER OF LEGAL METROLOGY AND CONSUMER
PROTECTION
KOHIMA NAGALAND

3: SHRI. TEPUMEHO
CHOWKIDAR
OFFICE OF THE STATE CONSUMER DISPUTES REDRESSAL COMMISSION
KOHIMA
NAGALAND

4: SMTI. NEIKHRIEVINO JUA
LDA CUM COMPUTER ASSISTANT
OFFICE OF THE CONTROLLER OF LEGAL METROLOGY AND CONSUMER
PROTECTION
KOHIMA NAGALAND

5: SMTI. NOTHUVONO KIN
LDA CUM COMPUTER ASSISTANT
OFFICE OF THE STATE CONSUMER DISPUTES REDRESSAL COMMISSION
KOHIMA NAGALAND

6: SHRI. TUITU SWU
PERSONAL PEON
OFFICE OF THE STATE CONSUMER DISPUTES REDRESSAL COMMISSION
KOHIMA NAGALAND

7: SHRI. OBETO CHISHI
DRIVER
OFFICE OF THE STATE CONSUMER DISPUTES REDRESSAL COMMISSION

KOHIMA NAGALAN

VERSUS

THE STATE OF NAGALAND AND 3 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF
NAGALAND 2:THE COMMISSIONER AND SECRETARY
DEPARTMENT OF LEGAL METROLOGY AND CONSUMER PROTECTION
NAGALAND KOHIMA

3:THE COMMISSIONER AND SECRETARY
DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS NAGALAND
KOHIMA

4:THE FINANCE COMMISSIONER
DEPARTMENT OF FINANCE
NAGALAND KOHIM

Advocate for the Petitioner : JOSHUA SHEQI, IMTONG KICHU,NAGALI
SHOHE,CHINGMEI KONYAK,MIKA H AYE,ATOKA,TOSHIKA,A. ACHUMI,KEDI
KOSO,P MHONBENI EZUNG,K LILY SWU

Advocate for the Respondent : GOVT ADV NL,

BEFORE
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 05.11.2024

Heard Mr. Joshua Sheqi, learned counsel for the petitioners. Also heard Ms. Inaholi, learned Junior Government Advocate for the State respondent.

By way of this petition under Article 226 of the Constitution of India, the petitioner is seeking direction inter-alia to the State respondents for creating 15 numbers of posts for Registry Establishment as per the Bagla Committee report of 2000.

The case of the petitioners is that the petitioners are all employees of the Nagaland State Consumer Commission and since inception of the Commission in 2011, no regular appointment has been made.

It is the specific case of the petitioners that despite the Bagla Committee report of 2000 recommending to all states to have staff strength depending on the number of cases, no action has been taken by the State respondents till date.

It is the further case of the petitioners that the committee recommended for having the Registry staff strength to be not less than 15 for the states with less than 500 cases. However, till date not even a single post has been created.

Despite the 7 petitioners out of which most of them have been serving the Commission for years together, their services have not been regularized till date.

Accordingly, representation has been filed for non-compliance and implementation of the Bagla Committee Report by creating post. However, the same having not been done till date, the present writ petition has been filed.

Mr. Joshua Sheqi, learned counsel for the petitioners, submits that it is imperative for the State respondents to implement the Bagla Committee report and non-implementation of the same has affected the

petitioners irreparable.

Ms. Inaholi, learned Junior Government Advocate for the State respondents, submits that in terms of the instruction received by letter dated 06.09.2024, the Deputy Secretary to the Government of Nagaland has informed her office as regards constitution of the Manpower Rationalization Committee (MRC) by notification dated 02.09.2024 to examine the actual number of posts required for the State Consumer Disputes Redressal Commission to start functioning and that the committee have scheduled their first meeting on 11.09.2024.

Today, when the matter was called, she further places the instruction dated 08.10.2024 received from the under Secretary to the Government of Nagaland, whereby her office has been informed that recommendation of the committee to recommend the actual number of posts required for State Consumer Disputes Redressal Commission to start functioning has been forwarded to the Chief Secretary on 05.10.2024.

A copy of the aforesaid instruction dated 08.10.2024 is kept on record and marked as 'X'.

Heard the learned counsel for the contesting parties and perused the material available on record.

It appears that the grievance of the petitioners canvassed in the writ petition is the non-implementation of the Bagla Committee Report.

It further appears from the instruction placed before this court, that the Manpower Rationalization Committee (MRC) has recommended constituting of a committee in order to examine the actual number of posts required for the State Consumer Disputes Redressal Commission to start functioning and the recommendation of the said committee has also been forwarded to the Chief Secretary for doing the needful.

That being so, this court is of the considered view that the writ petition can be disposed of, in the interest of justice, by directing the State respondents to implement the Bagla Committee Report within a period of 3 (three) months from today in accordance with law.

Ordered accordingly.

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

JUDGE

Comparing Assistant