

GAHC020003332024

2024:GAU-NL:617



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

Case No. : WP(C)/118/2024

SHRI TOSHIZEMBA
SR. TREASURY OFFICER
MOKOKCHUNG NAGALAND

VERSUS

THE STATE OF NAGALAND AND 5 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF
NAGALAND

2:THE ADDL. CHIEF SECRETARY AND FINANCE COMMISSIONER
NAGALAND KOHIMA

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

4:THE PRINCIPAL DIRECTOR
TREASURIES AND ACCOUNTS
NAGALAND KOHIMA

5:THE NAGALAND LOKAYUKTA
REPRESENTED BY THE SECRETARY NAGALAND LOKAYUKTA
NAGALAND KOHIMA

6:THE DISTRICT AND SESSIONS AND SPECIAL JUDGE
NAGALAND LOKAYUKTA
NAGALAND KOHIM

Advocate for the Petitioner : TONGPOK PONGENER, AKUM JAMIR, LAKNYEI
PHOM, VIKHEI NUO VIMERHA, AKUM AIER, AYALA IMCHEN, MUTHOI

Advocate for the Respondent : GOVT ADV NL,

**BEFORE
HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

28.11.2024

Heard Mr. Tongpok Pongener, learned counsel appearing for the petitioner as well as Ms. S. Mere, learned Senior Government Advocate appearing for the State respondent nos. 1 to 4.

Service of notice upon the respondent nos. 5 and 6 is already complete. However, none appears on their behalf today.

Pursuant to the Order of this Court dated 22.10.2024, today, Mr. Imti Imsong, learned Additional Advocate General has provided this Court with the Letter issued by the Secretary, Nagaland Lokayukta. This Letter contains 2 Orders of the learned Lokayukta dated 12.07.2024 and 18.11.2024.

I have gone through those Orders. I agree with the learned counsel for the petitioner that both the Orders passed by the learned Lokayukta are similar in nature. On that ground, the learned counsel for the petitioner prays for disposal of this matter today itself by allowing his prayers in the Petition.

I have also heard the learned counsels of both sides.

This Court is of the opinion that the matter can be disposed of today. Therefore, the respondent no. 6 is directed to immediately issue the Vigilance Clearance in respect of the present petitioner as had been done in the case of other similarly situated Officers of the Department.

The respondent no. 3 is directed to issue Vigilance Clearance in respect of the petitioner immediately upon receipt of the clearance from the respondent no. 6 as had been done in the case of other similarly situated Officers of the Department.

Further, it is hereby directed that the respondent nos. 2 and 4 shall forthwith consider the petitioner's case for promotion upon receipt of the Vigilance Clearance as had been done in the case of the similarly situated Officers of the Department.

With the aforesaid direction, the present Writ Petition stands disposed of.

JUDGE

Comparing Assistant