

GAHC020003532024



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

Case No. : WP(C)/123/2024

SHRI YANGTSAPI SANGTAM
S/O SHRI TEMSU SANGTAM
R/O CHARE OLD VILLAGE
TUENSANG NAGALAND-798601

VERSUS

THE STATE OF NAGALAND AND 3 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF
NAGALAND

2:THE COMMISSIONER AND SECRETARY
HEALTH AND FAMILY WELFARE DEPT. NAGALAND KOHIMA

3:THE PRINCIPAL DIRECTOR
HEALTH AND FAMILY WELFARE DEPT. NAGALAND KOHIMA

4:THE CHIEF MEDICAL OFFICER, TUENSANG NAGALAND

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

Advocate for the Respondent : GOVT ADV NL

**BEFORE
HON'BLE MR. JUSTICE KAKHETO SEMA**

ORDER

Date : 30-07-2024

Heard Mr. I. Imchen, learned counsel for the petitioner and Mr. K. Angami, learned Sr. Government Advocate for the State respondents.

Mr. K. Angami, learned Sr. Govt. Advocate has placed the copy of the letter dated 09/07/2024 written by the Principal Director, Health & Family Welfare, Nagaland, Kohima. The letter dated 09/07/2024 is reproduced herein below;

**“GOVERNMENT OF NAGALAND
DIRECTORATE OF HEALTH & FAMILY WELFARE
NAGALAND : KOHIMA**

No. DHFW-17/Legal/14/2024 Dated: Kohima the th July 2024

To,

*Shri: Keviphotsü
Sr. Govt. Advocate-cum-Public Prosecutor
Gauhati High Court, Kohima Bench
Kohima, Nagaland.*

Ref: Letter No. AG/ESTT-365/2024/763 dated Kohima, the
02.07.2024

Sub: **For issuance of Corrigendum with regard to the
Advertisement No. DHFW- 3/117/TSG/Crt/2024 dated
21.06.2024.**

Sir,

In inviting a reference to the subject cited above, I am to inform you that since the Hon'ble Court vide Order dated 02.07.2024 has stayed the Advertisement No. DHFW-3/117/TSG/Crt/2024 dated 21.06.2024 in respect of the post of Medical Attendant (M.A), PHC Chare, Tuensang, the Department would like to inform you that there was administrative oversight/inadvertent error with regard to non mentioning of preferential treatment on the basis of landownership may be there in the advertisement itself.

Keeping in view of the direction of the Hon'ble High Court in its Judgment and Order dated 30.05.2023 passed in W.P(C) No. 122/2019, you are hereby requested to take the necessary steps to inform the Hon'ble Court that the Department may be allowed to rectify the inadvertent error as mentioned above by issuing necessary corrigendum in compliance to the Hon'ble Court vide Judgment and Order dated 30.05.2023.

This is for your kind information and necessary action.

Thanking you.

Enclosed: As stated

*Yours faithfully,
Sd/-
(DR. E. MOTSUTHÜNG PATTON)
Principal Director
Health & Family Welfare
Nagaland : Kohima."*

In view of the letter placed by Mr. K. Angami, learned Sr. Govt. Advocate, Mr. I. Imchen submits that the present writ petition may be closed with a condition that the department in the advertisement for the post of Medical Attendant shall include the observation made by this Court in the judgment dated 30/05/2023 passed in W.P.(C) No. 122/2019 which provides that "the petitioner's claim for preferential treatment on the basis of the land ownership may also be considered by the respondents authorities in the said recruitment process and mentioned about such preferential treatment on the basis of the land ownership may be made in the advertisement itself."

In view of the submission made by the learned counsel for the parties and on perusal of the letter dated 09/07/2024 written by the Principal Director, Health & Family Welfare, Nagaland, Kohima to the learned Sr. Govt. Advocate, Gauhati High Court, Kohima Bench, the present writ petition stands closed.

A copy of the letter dated 09/07/2024 shall be placed on record.

Any interim order passed earlier shall merge with this order.

Sd/-
JUDGE

Comparing Assistant