



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

Case No. : WP(C)/171/2023

SHRI A. Ariba Yimchunger
S/O K. Among Yimchunger,
Resident of Bayavu, Nagaland,
Kohima,
PIN CODE 797001

VERSUS

THE STATE OF NAGALAND AND 3 ORS
THROUGH THE CHIEF SECRETARY TO THE GOVERNMENT OF NAGALAND,
KOHIMA 2: THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT
OF NAGALAND

PERSONNEL ADMINISTRATIVE REFORMS DEPARTMENT

NAGALAND
KOHIMA

3: THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
NAGALAND

DEPARTMENT OF UNDER-DEVELOPED AREAS
KOHIMA
NAGALAND
KOHIMA

4: THE DIRECTOR

DIRECTORATE OF UNDER-DEVELOPED AREAS

NAGALAND
KOHIMA

For the Petitioner(s)

: Mr. Toshi O Longkumer, Advocate

For the Respondent(s) : Mr. N. Angami, Standing Counsel

**BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 06.06.2024

Heard Mr. Toshi O Longkumer, the learned counsel appearing on behalf of the Petitioner and Mr. N. Angami, the learned Government Advocate appearing on behalf of the State.

2. This is a writ petition filed by the Petitioner seeking a direction upon the State Respondents for consideration of the case of the Petitioner for regularization in terms with the Office Memorandum dated 04.08.2008 as well as the Office Memorandum dated 11.08.2016. In addition to that, the Petitioner has also challenged the circular dated 06.04.2018.

3. The learned counsel appearing on behalf of the Petitioner submits that the Department of Personnel & Administrative Reforms, Government of Nagaland have recently come with an Office Memorandum dated 16.03.2024 which stipulates the policy for regularization of Group-C and Group-D Contract and Ad-Hoc employees appointed prior to 06.06.2016. He therefore submits that in view of the recent development, nothing further survives in the instant proceedings. He however submits that in the circumstance, the Petitioner is not considered in terms with the mandate of

Office Memorandum dated 16.03.2024, the Petitioner be given the liberty to challenge the same in accordance with law.

4. Mr. N. Angami, the learned Standing Counsel appearing on behalf of State Respondents submits that as to whether the Petitioner would be entitled to in terms with the Office Memorandum dated 16.03.2024 is a separate cause of action which has no relevance to the instant cause of action. He therefore submits that the question of granting liberty to the Petitioner does not arise.

5. This Court upon hearing the learned counsels for the parties permits the Petitioner to withdraw the instant writ petition. Accordingly, the instant writ petition stands closed on withdrawal.

6. It is made clear that as to whether the Petitioner would be entitled to in terms with the Office Memorandum dated 16.03.2024 is a separate cause of action and if the Petitioner is aggrieved for non-consideration of his case, the Petitioner would always be at liberty to assail the same.

Sd/-

JUDGE

Comparing Assistant