



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

Case No. : WP(C)/282/2021

SHRI. LIPOKTEMSU

WORK-CHARGED HANDYMAN, OFFICE OF THE MECHANICAL ENGINEER,
PWD, MECHANICAL DIVISION, KOHIMA, NAGALAND

VERSUS

THE STATE OF NAGALAND AND 14 ORS

THROUGH THE COMMISSIONER AND SECRETARY TO THE GOVT. OF
NAGALAND, WORKS AND HOUSING DEPARTMENT, NAGALAND, KOHIMA
2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF
NAGALAND

PERSONNEL AND ADMINISTRATIVE REFORMS DEPARTMENT
NAGALAND
KOHIMA

3:THE CHIEF ENGINEER

PWD(MECHANICAL)
NAGALAND
KOHIMA

4:SHRI. MEPONGTEMJEN

HANDYMAN UNDER THE ESTABLISHMENT OF ASSTT. MECHANICAL
ENGINEER(PWD)
MOKOKCHUNG DIVISION
MOKOKCHUNG
NAGALAND

5:SHRI. JUSAHIE SOPFUNO

HANDYMAN UNDER THE ESTABLISHMENT OF ASSTT. MECHANICAL
ENGINEER(PWD)

SUB-DIVISION
KOHIMA
NAGALAND

6:SHRI. KEYIELIE

HANDYMAN UNDER THE ESTABLISHMENT OF ASSTT. MECHANICAL
ENGINEER(PWD)
MECHANICAL
SUB-DIVISION
KOHIMA
NAGALAND

7:SHRI. SASHIKUMZUK

HANDYMAN UNDER THE ESTABLISHMENT OF ASSTT. MECHANICAL
ENGINEER(PWD)
MOKOKCHUNG
NAGALAND

8:SHRI. H. WANGPA KONYAK

HANDYMAN UNDER THE ESTABLISHMENT OF ASSTT. MECHANICAL
ENGINEER(PWD)
MECHANICAL ENGINEER
MON SUB-DIVISION
MON
NAGALAND

9:SHRI. TIAKUMZUK

HANDYMAN UNDER THE ESTABLISHMENT OF ASSTT. MECHANICAL
ENGINEER(PWD)
MECHANICAL SUB-DIVISION
DIMAPUR
NAGALAND

10:SHRI. A.AYIMBA AO

HANDYMAN UNDER THE ESTABLISHMENT OF ASSTT. MECHANICAL
ENGINEER(PWD)
MOKOKCHUNG SUB-DIVISION
MOKOKCHUNG
NAGALAND

11:SHRI. TIAKABA

HANDYMAN

OFFICE OF THE CHIEF ENGINEER(PWD)
MECHANICAL
KOHIMA
NAGALAND

12:SHRI. IMRONGTUBA

HANDYMAN UNDER THE ESTABLISHMENT OF ASSTT. MECHANICAL
ENGINEER(PWD)
MON SUB-DIVISION
NAGALAND

13:SHRI. YARCHABA

HANDYMAN UNDER THE ESTABLISHMENT OF ASSTT. MECHANICAL
ENGINEER(PWD)
MECHANICAL SUB-DIVISION
MOKOKCHUNG
NAGALAND

14:SHRI. DOVISE ANGAMI

MECHANIC HELPER UNDER THE ESTABLISHMENT OF ASSTT. MECHANICAL
ENGINEER(PWD)
KOHIMA
NAGALAN

For the petitioner(s) : Mr. M. Solo, Advocate

For the respondent (s) : Mr. E. Thiba Phom, Govt. Advocate

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

11.06.2024

Heard Mr. M. Solo, the learned counsel for the petitioner and Mr. E. Thiba Phom, the learned counsel appearing on behalf of the State respondents.

2. The petitioner herein was appointed as Work-Charged Handyman against the vacancy caused by Shri L. Tia Jamir, Work-Charged Handyman who resigned from service in a pay

scale. Thereupon, the petitioner continued to render his service without any break. It is the case of the petitioner that the private respondents herein were junior to the petitioner, but they were regularized however depriving the petitioner of the benefit of regularization.

3. Mr. E. Thiba Phom, the learned Government Advocate appearing on behalf of the State respondents submits that in the meantime, the petitioner has already completed 30 years of service in view of the fact that he was appointed on 16.05.1994, that too, on a scale of pay. It has been duly submitted that in terms with the Office Memorandum dated 17.03.2015 and more particularly Clause 1 (ii), those Work-Charged and casual employees in the scale of pay who have completed or would complete 30 years of continuous service after 01.01.2015, their cases for regularization would be taken up subsequently in two batches on the 1st of July and 1st of January every year. In view of the said extant policy which still holds the field, the petitioner herein is entitled to be considered for regularization in terms with Clause 1 (ii) of the Office Memorandum dated 17.03.2015 as he had completed 30 years of service as on 15.05.2024.

4. Under such circumstances, taking into account the prayer which has been made in the instant proceedings and the specific submission made by the counsel appearing on behalf of the petitioner that the petitioner has no quarrel with the regularization of the private respondents if the petitioner's case is considered in terms with the Office Memorandum dated 17.03.2015, this Court directs the respondent authorities to consider the case of the petitioner for regularization in terms

with clause 1 (ii) of the Office Memorandum dated 17.03.2015.

5. The said exercise be completed within a period of 4 (four) months from the date a certified copy of the instant order is served upon the respondent No.3.

6. This Court further directs that upon submission of the certified copy of the instant order to the respondent No.3, the respondent No.2 shall also do the needful so that the order passed herein is being complied with.

7. In view of the above, the instant petition stands disposed of.

Sd/-

JUDGE

Comparing Assistant