



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

Case No. : I.A.(Civil)/154/2024

SHRI LAM KHIAM
S/O LUSOP
R/O TUENSANG TOWN
TUENSANG NAGALAND

VERSUS

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

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

3:THE PRINCIPAL SECRETARY AND DEVELOPMENT COMMISSIONER
DEPT. OF PLANNING AND CORDINATION
KOHIMA NAGALAND

4:THE FINANCE COMMISSIONER
NAGALAND KOHIMA

5:THE DEPUTY COMMISSIONER
TUENSANG NAGALAND

6:THE ADDITIONAL DEVELOPMENT COMMISSIONER
DEPT. OF PLANNING AND CORDINATION
NAGALAND KOHIMA

7:THE DISTRICT PLANNING OFFICER
DISTRICT PLANNING MACHINERY CELL
TUENSANG NAGALAN

Advocate for the Petitioner : MIKA H AYE,

Advocate for the Respondent : GOVT ADV NL,

**BEFORE
HON'BLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

Date : 24.09.2024

Heard Ms. P. Mhonbeni Ezung, learned counsel for the applicant-writ petitioner and Ms. A. Ayemi, learned Junior Government Advocate, Nagaland for the opposite party nos. 1 - 6.

2. The applicant as the writ petitioner, has preferred the connected writ petition, W.P.[C] no. 177/2024 assailing a part of an Office Memorandum dated 17.03.2015 issued by the Personnel and Administrative Reforms Department [Administrative Reforms Branch], Government of Nagaland. It is the case of the applicant-writ petitioner in the connected writ petition that she had retired from service after serving as contingency office worker under the Establishment of Planning & Coordination [Planning Machinery], Tuensang, Nagaland. As the petitioner performed similar nature of work like that of a work-charged or casual employees, the action on the part of the said respondents in not including the contingency worker under the ambit and scope of the Office Memorandum dated 17.03.2015 is arbitrary and unjust.

3. The instant interlocutory application is preferred by the applicant-writ petition seeking impleadment of the District Planning Officer, District Planning Machinery Cell, Tuensang, Nagaland on the premise that the applicant-writ petitioner served as a contingency worker under the said authority and as such, the impleadment of the said authority as the respondent no. 7 in the connected writ petition is necessary.

4. The prayer for impleadment of the District Planning Officer, District Planning Machinery Cell, Tuensang, Nagaland as party-respondent no. 7 in the

connected writ petition, W.P.[C] no. 177/2024 is not opposed by the State respondents. Having regard to the statements and averments made in this interlocutory application, I am of the considered view that the District Planning Officer, District Planning Machinery Cell, Tuensang, Nagaland is a necessary party for adjudication of the issues raised in the connected writ petition. Accordingly, the instant interlocutor application stands allowed.

Sd/-

JUDGE

Comparing Assistant