GAHC020002942024

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

Case No. : I.A.(Civil)/88/2024

MRS. RENTHUNGLO MOZHUI
WIFE OF LATE LIMAWABANG AIER
R/O H.NO.132
MIDDLE PWD, KOHIMA SADAR
NAGALAND

VERSUS

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

2:THE COMMISSIONER AND SECRETARY
DEPT OF SCHOOL EDUCATION
KOHIMA NAGALAND

3:PRINCIPAL DIRECTOR
DIRECTORATE OF SCHOOL EDUCATION
NAGALAND KOHIMA

4:THE NAGALAND SCHOOL EDUCATION ADMINISTRATIVE OFFICER ASSOCIATION (NSEAOA)
REPRESENTED BY SHRI. KHETOSHE YEPTHOMI (PRESIDENT)
S/O LATE YEKHUVI YEPTHOMI.
PRESENTLY WORKING AS ASSISTANT DIRECTOR UNDER THE DEPT. OF SCHOOL EDUCATION

Advocate for the Petitioner : A. ZHIMOMI

Advocate for the Respondent : GOVT ADV NL

Linked Case : WP(C)/29/2020

THE NAGALAND SCHOOL EDUCATION ADMINISTRATIVE OFFICERS (NSEAOA)
ASSOCIATION AND ANR
REPRESENTED BY ITS PRESIDENT SHRI KEPELHOUTUO CHUSI

S/O LATE NIVISSA CHUSI
AGED ABOUT 56 YEARS. PRESENTLY WORKING AS DEPUTY DIRECTOR
DIRECTORATE OF SCHOOL EDUCATION
NAGALAND
KOHIMA. PHONE NO.9856206744

2: KROPE KOZA
PRESENTLY WORKING AS ASSISTANT DIRECTOR
DIRECTORATE OF SCHOOL EDUCATION
NAGALAND
KOHIMA
VERSUS

STATE OF NAGALAND AND 3 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF
NAGALAND
KOHIMA
NAGALAND

2:THE PRINCIPAL SECRETARY
DEPARTMENT OF SCHOOL EDUCATION
GOVERNMENT OF NAGALAND
KOHIMA
NAGALAND
3:THE PRINCIPAL DIRECTOR
DIRECTORATE OF SCHOOL EDUCATION
GOVERNMENT OF NAGALAND
KOHIMA
NAGALAND
4:LIMAWAPANG AIER
ADDL. DIRECTOR
DIRECTORATE OF SCHOOL EDUCATION
KOHIMA
NAGALAND

Advocate for : A. ZHO
Advocate for : GOVT ADV NL appearing for STATE OF NAGALAND AND 3 ORS

Linked Case : WP(C)/192/2016

LIMAWAPANG AIER
KOHIMA

VERSUS

STATE OF NAGALAND AND 3 ORS
KOHIMA

2:Commissioner and Secretary.
KOHIMA
3:PRINCIPAL DIRECTOR
DIRECTORATE OF SCHOOL EDUCATION
KOHIMA
NAGALAND.
KOHIMA
4:PRESIDENT
NAGALAND SCHOOL EDUCATION ADMINISTRATIVE OFFICER'S ASSOCIATION (NSEAOA) T.B.
KOHIMA

Advocate for : A. ZHIMOMI
Advocate for : GOVT ADV NL appearing for STATE OF NAGALAND AND 3 ORS

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH

ORDER

06.06.2024

This is an application filed by the applicant, who is the legal representative of the writ petitioner, who unfortunately expired on 07.03.2024.

The learned counsel appearing on behalf of the applicant submits that the applicant herein should be permitted to pursue the accompanying writ proceedings on the ground that if the reliefs which have been sought for is allowed, the applicant, who is entitled to the family pension would be getting a higher

family pension.

Taking into account that right to sue even continues after the death of the writ petitioner, this Court substitutes the applicant against the writ petitioner. Accordingly, the instant application stands allowed.

The learned counsel for the applicant is directed to file a fresh memo before the Registry of this Court on or before 10.06.2024. On the basis thereof, the Registry shall make necessary corrections to the accompanying writ petition and also do the same in the CIS.

I.A. stands allowed.

Sd/-
JUDGE

Comparing Assistant