GAHC020005982024

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

Case No. : I.A.(Civil)/158/2024

SHRI MARSUPU AO AND 18 ORS
CHOWKIDAR, MAREPKONG SUB - CENTRE,ESTABLISHMENT OF CMO, MOKOKCHUNG, N/L

VERSUS

SHRI V. KEZO AND 2 ORS
THE COMMISSIONER AND SECRETARY
HEALTH AND FAMILY WELFARE
NAGALAND KOHIMA

Advocate for the Petitioner : TONGPOK PONGENER,

Advocate for the Respondent : ,

Linked Case : COP(C)/17/2024

SHRI MARSUPU AO AND 18 ORS
CHOWKIDAR
MAREPKONG SUB - CENTRE
ESTABLISHMENT OF CMO
MOKOKCHUNG
N/L

2: SMTI BENDANGMONGLA AO

CHOWKIDAR
AONGZA SUB-CENTRE

ESTABLISHMENT OF CMO
MOKOKCHUNG
N/L

3: SHRI TEMSUWATI
MEDICAL ATTENDANT
MAREPKONG SUB-CENTRE
ESTABLISHMENT OF CMO
MOKOKCHUNG
N/L

4: SMTI. TEMSUMONGLA

MEDICAL ATTENDANT
MOALENDEN SUB-CENTRE
UNDER ESTABLISHMENT OF CMO
MOKOKCHUNG
N/L

5: SHRI CHUNGPONGNUNGDEN AO
DRESSER
TULI CHC
ESTABLISHMENT OF CMO
MOKOKCHUNG
N/L

6: SHRI IMTITOSHI
NIGHT CHOWKIDAR
UNDER THE ESTABLISHMENT OF CMO
MOKOKCHUNG
N/L

7: SHRI IMKONGSUNUP
MEDICAL ATTENDANT
LONGCHEM PHC
ESTABLISHMENT OF CMO
MOKOKCHUNG
N/L

8: SMTI LIMASANGLA AO
MEDICAL ATTENDANT
UNGMA PHC
ESTABLISHMENT OF CMO
MOKOKCHUNG
N/L

9: SHRI IMLIYANGER
CHOWKIDAR

ALONGKIMA PHC
ESTABLISHMENT OF CMO
MOKOKCHUNG
N/L

10: SHRI TOSHISANGLA AO
MEDICAL ATTENDANT
TSURANGKONG PHC
ESTABLISHMENT OF CMO
MOKOKCHUNG
N/L

11: SMTI. MARKENMENLA
MEDICAL ATTENDANT
DISTRICT MEDICAL ATTENDANT
TUBERCULOSIS CENTRE
MOKOKCHUNG
N/L
12) SAKUPOKLA AO

12: SMTI. SAKUPOKLA AO
CHOWKIDAR
KUMLONG SUB-CENTRE
ESTABLISHMENT OF CMO
MOKOKCHUNG
N/L

13: SHRI TSUKNUNGMEREN AO
LABORATORY ATTENDANT
UNGMA PHC
ESTABLISHMENT OF CMO
MOKOKCHUNG
N/L

14: SMTI. TSUKTILA AO
MEDICAL ATTENDANT
MAREPKONG SUB-CENTRE
ESTABLISHMENT OF CMO
MOKOKCHUNG
N/L

15: SMTI. M ASUNGLA AO
PEON
DIO
MOKOKCHUNG
MAREPKONG SUB-CENTRE
ESTABLISHMENT OF CMO

MOKOKCHUNG
N/L

16: SMTI. TEMJENJONGLA AO
PEON
ESTABLISHMENT OF CMO
MOKOKCHUNG
N/L

17: SMTI. MOARENLA AO
SWEEPER
ATTACHED CMS
ESTABLISHMENT OF CMO
MOKOKCHUNG
N/L

18: SMTI. RISHILEMLA AO
MEDICAL ATTENDANT
MANGKOLEMBA CHC
ESTABLISHMENT OF CMO
MOKOKCHUNG
N/L

19: SMTI. YASHINARO AO
LABORATORY ATTENDANT
MERANGKONG DISPENSARY
ESTABLISHMENT OF CMO
MOKOKCHUNG
N/L
VERSUS

SHRI V. KEZO AND 2 ORS
THE COMMISSIONER AND SECRETARY
HEALTH AND FAMILY WELFARE
NAGALAND KOHIMA

2:SHRI DR. E. MOTSUTHUNG PATTON
THE PRINCIPAL DIRECTOR
HEALTH AND FAMILY WELFARE
NAGALAND KOHIMA

3:SHRI DR. KIBANGKUMBA
THE CHIEF MEDICAL OFFICER (CMO)
MOKOKCHUNG NAGALAND

Advocate for : TONGPOK PONGENER
Advocate for : appearing for SHRI V. KEZO AND 2 ORS

BEFORE
HON'BLE MR. JUSTICE MANISH CHOUDHURY

O R D E R

27.09.2024

Heard Ms. Asenla, learned counsel for the applicants.

The instant Interlocutory Application, under Order 1 Rule 10(2) of the Code of Criminal Procedure, 1973 is preferred seeking impleadment of 'Shri Anoop Khinchi, IAS, Commissioner & Secretary to the Government of Nagaland, Health & Family Welfare Department, Nagaland, Kohima' as party respondent no. 4 in the accompanying Contempt Petition, COP(C)/17/2014.

The accompanying Contempt Petition, COP(C)/17/2014 has been preferred by the applicants as contempt petitioners alleging non-compliance of the direction made in a Judgment and Order dated 22.11.2023, passed in WA/14/2019.

It has been averred that during the pendency of the COP(C)/17/2014, the respondent no. 1 arrayed therein, retired from service from the post of Commissioner & Secretary to the Government of Nagaland, Health & Family Welfare Department in August, 2024 and Shri Anoop Khinchi, IAS is presently serving as Commissioner & Secretary to the Government of Nagaland, Health & Family Welfare Department, Nagaland. With the aforesaid projection, it has been averred that the presence of Shri Anoop Khinchi, IAS, Commissioner & Secretary to the Government of Nagaland,

Health & Family Welfare Department is necessary for adjudication of the accompanying Contempt Petition, COP(C)/17/2014.

Having regard to the aforesaid projections and the averments made in this Interlocutory Application, the Court is of the considered view that 'Shri Anoop Khinchi, IAS, Commissioner & Secretary to the Government of Nagaland, Health & Family Welfare Department, Nagaland, Kohima' appears to be a necessary party for adjudication of the accompanying Contempt Petition, COP(C)/17/2014. Accordingly, this instant Interlocutory Application stands allowed.

The learned counsel for the applicants/contempt petitioners is to file an amended cause-title in the accompanying Contempt Petition within 2 (two) working days from today.

The Registry to make necessary correction in the cause-title accordingly after a week.

JUDGE

Comparing Assistant