

GAHC020000122025



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

Case No. : WP(C)/3/2025

SHRI CHEPE WETSA AND 4 ORS
KITSUBOZOU COLONY

H.NO. 14

KOHIMA NAGALAND-7970001 2: SMTI. D. RENJANO PATTON

TSUMANG A COLONY

WOKHA TOWN

WOKHA - 797111

NAGALAND

3: SHRI YEMTIMANGYANG

DEROGAPATHAR

DIMAPUR

NAGALAND-797112

4: SHRI CHEJEI K KONYAK

CHI VILLAGE

MON NAGALAND

NAGALAND -798621

5: SHRI L. HOAKA KONYAK

SHAMNYU

MON -79862

VERSUS

THE STATE OF NAGALAND AND 3 ORS

REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF NAGALAND

NAGALAND KOHIMA-797001 2:THE NAGALAND LOKAYUKTA

REPRESENTED BY ITS SECRETARY

NAGALAND LOKAYUKTA

NAGALAND-797001

3:THE COMMISSIONER AND SECRETARY

DEPT.OF LABOUR AND EMPLOYMENT

SKILL DEVELOPMENT AND ENTREPRENEURSHIP
KOHIMA -797001

4:THE DIRECTOR
DIRECTORATE OF EMPLOYMENT
SKILL DEVELOPMENT AND ENTREPRENEURSHIP
KOHIMA-79700

Advocate for the Petitioner : C. T. JAMIR, SR. ADV,

Advocate for the Respondent : GOVT ADV NL,

Linked Case : WP(C)/17/2025

SHRI CHEPE WETSA AND 4 ORS
KITSUBOZOU COLONY
H.NO. 14
KOHIMA NAGALAND-7970001

2: SMTI. D. RENJANO PATTON
TSUMANG A COLONY
WOKHA TOWN
WOKHA - 797111
NAGALAND

3: SHRI YEMTIMANGYANG
DEROGAPATHAR
DIMAPUR
NAGALAND-797112

4: SHRI CHEJEI K KONYAK
CHI VILLAGE
MON NAGALAND
NAGALAND -798621

5: SHRI L. HOAKA KONYAK
SHAMNYU
MON -798621
VERSUS

THE STATE OF NAGALAND AND 2 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF NAGALAND
NAGALAND KOHIMA-797001

2:THE COMMISSIONER AND SECRETARY
DEPT.OF LABOUR AND EMPLOYMENT
SKILL DEVELOPMENT AND ENTREPRENEURSHIP
KOHIMA -797001

3:THE DIRECTOR
DIRECTORATE OF EMPLOYMENT
SKILL DEVELOPMENT AND ENTREPRENEURSHIP
KOHIMA-797001

Advocate for : C. T. JAMIR
SR. ADV

Advocate for : GOVT ADV NL appearing for THE STATE OF NAGALAND AND 2
ORS

Linked Case : WP(C)/18/2025

SMTI IMRONGNARO
D/O CHUBALEPZUK CHANGTONGYA VILLAGE
NAGALAND
MOKOKCHUNG- 798613

VERSUS

STATE OF NAGALAND AND 3 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF NAGALAND
KOHIMA
797001

2:THE NAGALAND LOKAYUKTA
REPRESENTED BY ITS SECRETARY
NAGALAND LOKAYUKTA
KOHIMA- 797001

3:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF NAGALAND
DEPARTMENT OF LABOUR AND EMPLOYMENT
SKILL DEVELOPMENT AND ENTREPRENEURSHIP

KOHIMA- 797001

4:THE DIRECTOR
DIRECTORATE OF EMPLOYMENT
SKILL
DEVELOPMENT AND ENTREPRENEURSHIP
KOHIMA- 797001

Advocate for : C. T. JAMIR
SR. ADV

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

**BEFORE
HON'BLE MR. JUSTICE UNNI KRISHNAN NAIR**

ORDER

Date : 24.11.2025

Heard Mr. C. T. Jamir, learned Senior Counsel, appearing for the petitioners. Also heard Mr. N. Angami, learned Government Advocate, appearing for the respondents.

2. The above noted writ petitions involving common issues and having the same cause of action, the relief sought for being one in the same, were taken up, with the consent of the learned counsel for the parties, for hearing analogously and are being disposed of by this order.

3. The petitioners in the above noted writ petitions have assailed an order dated 16.07.2024 passed by the Lokayukta, Nagaland, advising the Department of Labour and Employment, Skill Development, to terminate the service of the said petitioners along with 3(three) others, by issuing to them show-cause notices on the ground that the appointments effected in case of the petitioners and the others involved, were so effected dehors the procedure prescribed.

The petitioners have also assailed the consequential

steps taken by the Department authorities in pursuance to the advised rendered by the Lokyukta, Nagaland, vide the order dated 16.07.2024.

4. The petitioners in the above noted writ petitions were approved for appointment by the government in the Directorate of Employment, Skill Development & Entrepreneurship, Government of Nagaland, for appointment against the post mentioned, against their names.

The said recommendations was made to the Directorate of Employment, Skilled Development & Entrepreneurship Department. The Director, on receipt of the said approval proceeded to appoint the persons so approved including the petitioners in the above noted writ petitions, to various vacant post existing in establishments under his control. The petitioners accordingly joined their respective services in terms of the appointment orders issued to them by the Director of Employment, Skill Development & Entrepreneurship Department.

After the appointments of the petitioners were so effected, a complaint came to be lodged before Lokyukta, Nagaland, on 10.10.2022, against the Department of Employment, Skill Development & Entrepreneurship, alleging that bogus appointment came to be made in respect of 12 nos. of Multi Tasking Staff (MTS) post in the year 2022 without obtaining government approval and in violation of government laid down procedure. It was also

alleged that the appointments were so effected during the period when a ban on appointment was operative in the State.

The Lokyukta Nagaland appreciating the said complaint proceeded to examine the allegations raised, therein and after collecting the requisite materials, proceeded vide order dated 16.07.2024 to hold that the appointments effected in respect of the petitioners and 2(two) others were so effected dehors the procedure prescribed and no mandated procedure was found to have been followed while effecting the appointments, in question. The appointments were held to be illegal and thereby null and void in the eyes of law.

Basing on the said findings, the Lokyukta Nagaland, proceeded to advise the Department of Labour and Employment, Skill Development & Entrepreneurship, to terminate the appointment of the 9(nine) illegal appointees, including the petitioners, herein, by following the due process of law which is by issuing show-cause notice, requiring them to reply as to why their appointments should not be terminated as the appointments did not have the sanction of law.

The Lokyukta, Nagaland, further proceeded to advise drawal of Departmental proceedings against the officials involved in the matter. The order dated 16.07.2024 was forwarded to the Commissioner and Secretary, Government of Nagaland, Department of

Labour and Employment, Skill Development & Entrepreneurship, vide a communication dated 26.07.2024 issued by Senior Superintendent of Police, Nagaland Lokyukta Police, with a further requirement to submit the action taken report to the office of the Lokyukta Nagaland, within a period of 90(ninety) days. The said communication came to be, thereafter, forwarded to the Directorate of Employment and Skill Development & Entrepreneurship, vide a communication dated 20.12.2024, issued by the Joint Secretary to the Government of Nagaland, Department of Labour and Employment, Skill Development & Entrepreneurship Department. In the said communication the names of the petitioners, in the above noted writ petitions, finds mention. On receipt of the order dated 16.07.2024 passed by the Lokyukta, Nagaland, the Director of Employment, Skill Development & Entrepreneurship, Government of Nagaland, proceeded vide order dated 07.01.2025 to terminate the services of the petitioners along with others w.e.f. the date of issuance of the orders.

Being aggrieved the petitioners in WP(C).No.3/2025 approached this Court by way of instituting the said writ petition, *inter alia*, assailing therein, the order passed by the Lokyukta, Nagaland, along with the consequential order dated 07.01.2025 passed by the Directorate of Employment and Skill Development & Entrepreneurship, Government of Nagaland.

On the date the application was moved before this

Court, a co-ordinate Bench of this Court noticing that the respondent authorities, vide issuance of a subsequent notification dated 20.01.2025 had kept the order of termination dated 07.01.2025 in abeyance, proceeded to stay the effect and operation of notification dated 07.01.2025, issued towards terminating the services of the petitioners in the said writ petitions. The respondents entered appearance in the said proceedings and filed an affidavit and therein, brought on record that the order dated 07.01.2025 was nullified vide issuance of an office order dated 22.01.2025. It was further brought on record that after nullification of the order of termination, the petitioners, therein, along with others involved, were issued with show-cause notices all dated 22.01.2025, requiring them to show-cause as to why their services should not be terminated within the time framed prescribed therein.

The petitioner in WP(C).No.3/2025 thereafter instituted writ petition being WP(C).No.17/2025, *inter alia*, challenging the show-cause notices dated 22.01.2025 along with the order dated 22.01.2025 issued towards nullifying the earlier termination of order dated 07.01.2025.

During the pendency of WP(C).No.3/2025 and WP(C).No.17/2025, Smti Imrongnaro, who is similarly situated as the petitioner in the said 2 writ petitions also approached this Court by way of instituting writ petition being WP(C).No.18/2025, presenting a challenge to the

order dated 16.07.2024 passed by Lokayukta, Nagaland, along with the consequential steps taken thereon, by the Departmental authorities including the show-cause notice dated 22.01.2025.

5. Mr. C. T. Jamir, learned counsel for the petitioners in the above noted 3(three) writ petitions, by reiterating the facts noticed, hereinabove, has submitted that the termination of the services of the petitioners vide the order dated 07.01.2025 was not taken basing upon a independent conclusion arrived at by the Departmental authorities but was so based on the advise rendered in the matter by the Lokyukta Nagaland. He submits that provisions of the Lokyukta Nagaland Act, 2017, does not confer any jurisdiction upon the Lokayukta, Nagaland, to conduct any investigation under the Act with regard to the matters pertaining to appointments in Government Departments. He submits that provisions of Sub Section (1) of Section 9 read with the provisions of the 2nd Schedule clearly brings to the forefront the bar existing for carrying out any investigation by the Lokayukta or Upalokayukta in matters touching appointment of government servants.

Mr. C. T. Jamir, learned Senior Counsel, submits that the investigation in the matter was carried out by the Lokayukta Nagaland, basing on a complaint lodged in the matter by an individual who was aggrieved with the appointments effected in case of the petitioners, in the

above noted writ petitions and others. He submits that the said complaint is in the form of a grievance. Accordingly, the complainant having a remedy by way of instituting a proceeding before this Court, assailing the appointments of the petitioners, in the above noted writ petitions, the bar under the Sub Section (1) of Section 9 is clearly attracted in the matter and accordingly the Lokayukta, Nagaland, had no jurisdiction to entertain the said complaint and on investigation thereon, proceed to pass the order dated 16.07.2024.

Mr. C. T. Jamir, by referring to the consequential actions taken by the Departmental authorities, under challenge in the above noted writ petitions has submitted that mere perusal of the same would reveal that the same was based upon the order dated 16.07.2024 passed by the Lokayukta, Nagaland, and not based on an independent finding arrived at by the Departmental authorities of the appointments effected in respect of the petitioners, in the above noted writ petitions, to have been so effected, de hors the provisions of law.

Mr. C. T. Jamir, further submits that the respondents after proceeding to terminate the services of the petitioners in terms of the advise rendered by the Lokayukta, Nagaland, vide order dated 16.07.2024, by issuing the order dated 07.01.2025, had proceeded subsequently to keep the order dated 07.01.2025, in abeyance by appreciating the fact that the termination orders were passed in respect of the petitioners without

affording to them any opportunity of hearing, which was also mandated by the Lokayukta, Nagaland, in his advise rendered vide order dated 16.07.2024. He submits that after the petitioners in WP(C)No.3/2025 had approached this Court and interim direction was passed in the matter, the respondent authorities had served upon the petitioners individual show-cause notices all dated 22.01.2025. He submits that the said show-cause notices were backdated only to frustrate the proceedings pending before this Court.

In the above premises Mr. C. T. Jamir, submits that the order dated 16.07.2024 passed by the Lokayukta, Nagaland, being so passed without jurisdiction the advised rendered therein, is in consequential and cannot be permitted to be acted upon. Accordingly, he submits that the said order dated 16.07.2024 along with the consequential steps taken by the Departmental authorities in pursuance thereof would mandate an interference from this Court.

6. Per contra, Mr. N. Angami, learned Government Counsel, appearing for the State respondents has submitted that basing on the advise rendered by the Lokayukta, Nagaland, vide order dated 16.07.2024, the services of the petitioners came to be terminated without issuance of any show-cause notice, the termination order dated 07.01.2025 issued in this connection was kept in abeyance by the Government and thereafter, the said order was nullified. He submits that on nullification of the order of termination of the petitioners, they were issued a show-

cause notices, strictly in compliance with the advise rendered in the matter by the Lokayukta, Nagaland, vide order dated 16.07.2024.

Mr. N. Angami, contrary to the contentions raised by the learned Senior Counsel for the petitioner, that the order dated 16.07.2024, was passed by the Lokayukta, Nagaland, without having a jurisdiction to entertain the issue involve therein, has submitted that the bar contemplated under Section 9 of the Act of 2017 with regard to the exercise of jurisdiction by the Lokayukta, Nagaland, would not extend to a case wherein, an allegation is leveled in respect of such appointments being effected dehors the law. He submits that the perusal of clause (b) of the Second schedule to the Act of 2017, would make the said position apparent. Accordingly, he submits that the complaint lodged with regard to the bogus appointments effected against post of MTS in the Directorate of Employment and Skill Development & Entrepreneurship, being not in the nature of grievance, there was no bar upon the Lokayukta, Nagaland, to entertain the said complaint and investigate thereon. He submits that the petitioners having now been issued with a show-cause notice, after nullification of their termination orders issued to them on 07.01.2025, the petitioners having now been provided with an opportunity to place their case before the Departmental authorities, the above noted writ petitions would not mandate further consideration by this Court.

7. I have heard the learned counsel for the parties and also perused the materials available on record.

8. The facts as noticed hereinabove not being in dispute are not reiterated, herein. The Lokayukta, Nagaland, on receipt of a complaint dated 10.10.2022, wherein allegation was leveled with regard to bogus appointment being effected against the 12(twelve) post of MTS in the year 2022 in the Department of Employment, Skill Development & Entrepreneurship, without obtaining government approval and in violation of laid down government procedure regulating such appointments and further that the appointment being effected during the ban on such appointments were operating in the State of Nagaland, proceeded to entertain the said complaint and carried out an investigation in the said matter. On conclusion of the investigation and the materials coming on record, the Lokayukta, Nagaland, on examination of the same, found that the appointments, effected against the post of MTS was so done without following the laid down norms of the Government. It was also found that the approval of the Government was not obtained, for conduct of any such recruitment. The approval leading to the appointments of the petitioners were found to be done by the then Director, Shri Chiden Yaden & Mr. Lanuyapang, Under Secretary of the Department, without any Government approval being granted for the purpose. Basing on the said findings, the Lokayukta, Nagaland, proceeded vide order dated 16.07.2024 to advise the

Director of Employment and Skill Development & Entrepreneurship, to terminate the services of the illegal appointees, including the petitioners, herein.

9. The operative portion of the order dated 16.07.2024 passed by the Lokayukta, Nagaland, being relevant, is extracted hereinbelow;

“8. Therefore in the light of the findings, the competent authority of the Department of Labour and Employment, Skill Development & Entrepreneurship is advised to terminate the appointment of the 9(nine) illegal appointees by following the due process of law which is issuing show cause notice as to why the appointments should not be terminated as the appointments did not have the sanction of law.

9. Appropriate time for response to the show cause notice may be given. Departmental proceedings may be initiated as per the provision of Section 25 (4)(a) of the Nagaland Lokayukta Act, 2017 and under the Discipline & Appeal rules 1976 by the competent Authority against Shri Lanuyapang Under Secretary of Labour and Employment, Skill Development & Entrepreneurship as he has violated the provisions of Rule 4(i), (ii), (iii) of the Nagaland Government Servants Conduct Rules 1968, for not maintaining

(1) Absolute integrity

(2) Devotion of duty

(3) Do nothing which is unbecoming of a Govt. servant

(4)2 (i) Not maintaining integrity

(ii) Not exercising powers conferred on him in exercise of best judgement in the performance of the official duties.

10. Unfortunately no Department proceedings can be initiated against Shri Chiden Yaden, Director as he has already retired from Government Service.

11. It is a fact that the conduct of both the officials bears out grave misconduct, lack of moral integrity, abuse and misuse of powers betrayal of trust reposed on them by the State

Government as a public servant holding responsible positions in the Government in total disregard and violation of Government instructions which is unacceptable and unbecoming of a Government servant.

12. Further if any aspect of bribery is made out in the course of the Departmental Inquiry with regard to the 9 illegal appointees, steps for lodging FIR will be initiated under the Prevention of Corruption Act 1988."

10. Mr. Jamir, learned counsel, appearing for the petitioners has questioned the advise rendered by the Lokayukta Nagaland, vide order dated 16.07.2024, on the ground that the Lokayukta, Nagaland, had issued the said advisory without having the jurisdiction to conduct the investigation in pursuance to the complaint dated 10.10.2022.

11. To examine the said contentions of the learned counsel for the petitioners, this Court would refer to the relevant provisions of the Nagaland Lokayukta Act of 2017. The said provisions being relevant are extracted hereinbelow ;

Section-9: Matters not subject to Investigation:

(1) Except as hereinafter provided, the Lokayukta or Upa-Lokayukta shall not conduct any investigation under this Act in the cases of a complaint involving a grievance in respect of any action:

(a) If such action relates to any matter specified in the Second Schedule; or (b) If the complainant has or had any remedy by way of a proceeding before any forum or other authority; Provided that nothing in clause (b) shall prevent the Lokayukta or Upa-Lokayukta from conducting an investigation, if the Lokayukta or, as the case may be, the Upa Lokayukta, is satisfied that such person could not or cannot, for sufficient

cause, have recourse to such remedy.

(2) The Lokayukta or Upa-Lokayukta shall not investigate:

(a) Any action in respect of which a formal and public inquiry has been ordered under the Public Servants (Inquiries) Act, 1850 by the State Government or Government of India;

(b) Any action in respect of a matter which has been referred for inquiry under the Commissions of Inquiry Act, 1952 by the State Government or Government of India.

(3) The Lokayukta or Upa-Lokayukta shall not investigate -

(a) Any complaint involving a grievance made after the expiry of a period of twelve months limitation from the date on which the action complained against becomes known to the complainant.

(b) Any complaint involving an allegation made after the expiry of five years from the date on which the action or conduct complained against is alleged to have taken place. Provided that the Lokayukta or Upa-Lokayukta in respect of grievance or allegation, as the case may be, may entertain a complaint made after the expiry of the said period if the complainant shows sufficient cause for not making the complaint within the said period.

(4) In the case of any complaint involving a grievance, nothing in this Act shall be construed as empowering the Lokayukta or Upa-Lokayukta to question any administrative action involving the exercise of a discretion except where he is satisfied that the elements involved in the exercise of the discretion are absent to such extent that the discretion can prima facie be regarded, as having been improperly exercised.

SECOND SCHEDULE

[See Section 9(1)(a)]

(a) Action taken for the purpose of investigating crimes or relating to the security of the State.

(b) Action taken in the exercise of powers in relation to

determining whether a matter shall go to a Court of not.

(c) Action taken in matters which arise out of the terms of a contract governing purely commercial relations of the administration with customers of supplier, except whose or the complaint alleges harassment gross delay in meeting contractual obligation.

(d) Action taken in respect of appointments, removal, pay, discipline, superannuation or other matters relating to conditions of service of public servants but not including action relating to claims for pension, gratuity, provident fund or to any claim which arise on retirement, removal on termination of service and such other action involving allegation of corruption in respect of appointment not barred under provision of section-35 of the Act.

(e) Grant of honours and award

Section 10: Provision relating complaints.

(1) Subject to the provisions of this Act, a complaint may be made under this Act, to the Lokayukta; in the case of an allegation, by any person, and in the case of a grievance, by a person aggrieved:

Provided that where the person aggrieved is dead or, is for any reason, unable to act for himself, the complaint may be made or continued by his legal representative or by any other person who is authorized by him in writing in this behalf.

(2) Every complaint shall be made in such form and in such manner and shall be accompanied by such affidavit as may be prescribed.

(3) Notwithstanding anything contained in this Act or any other law for the time being in force, any letter written to the Lokayukta by a person in police custody or in jail or in any asylum or other place from insane persons, shall be forwarded to the Lokayukta unopened and without delay by the police officer or other person in-charge of such jail, asylum or other

place and the Lokayukta may, if satisfied that it is necessary so to do, treat such letter as a complaint made in accordance with the provisions of sub-section (2)."

Before proceeding to examine the said provisions extracted hereinabove, of the Act of 2017, this Court would also refer to the definitions of the term "Grievance" as set out in the provisions of Section 2(1) (g) of the said Act of 2017, the definition being relevant is extracted hereinbelow.

"Section - 2: Definitions.

(1) In this Act, unless the context otherwise requires-

.....

" (g) "Grievance" means a claim by a person that he suffered injustice or hardship as a consequence of maladministration;"

12. A perusal of the provision of Section 9 of the Act of 2017 would reveal that the Lokayukta or the Upa-lokayukta, as the case may be, shall not conduct any investigation under the Act of 2017, in cases of a complaint involving a grievance in respect of any action specified in the second Schedule or where the complainant has any remedy by way of proceeding before any forum or authority. Clause (d) of the Second Schedule to the Act of 2007, mandates that an investigation with regard to action taken in respect of appointments, removal, pay, etc or other matters relating to conditions of the services of public servants would not be permissible to be carried out by the Lokayukta, however other actions involving allegation of corruption in respect of appointment would be excluded from the purview of the bar operating under

the provisions of Section 9(1) (a). Further a bar is contemplated with regard to the conduct of any investigation by the Lokayukta or Upa-lokayukta as the case may be, basing on complaint involving a grievance in respect of any action, if the complainant has any remedy by way of a proceedings before any forum or any other authority.

13. On a close perusal of the provisions of the Act of 2010, more particularly Section 10 of the Act of 2010, it would be evident that the complaint as contemplated therein, can be of 2(two) kinds viz., 1(one) involving an allegation which can be raised by any person and the other pertaining to a grievance which is to be raised by a persons aggrieved. When a complainant raising a grievance, pertaining to an action relatable to his appointment, removal, pay, superannuation etc, moves before the Lokyukta seeking an investigation on the grievance raised, the bar contemplated in the provisions of Section 9(1) of the Act of 2017 would come into force and such complaint would be barred by the provisions of Section 9(1) to be taken up for investigation by Lokayukta or the Upa-lokayukta, as the case may be.

14. This Court on perusal of the provisions of sub section (1) of Section 9, read with the said provisions of Clause (d) of the 2nd Schedule, is of the considered view that the bar contemplated under Section 9 of the Act of 2017 cannot be extended to an allegation by a third party

with regard to the allegation of the corruption in respect of appointments. The complaint involved in the present matter leading to the investigation carried out by the Lokayukta, Nagaland, concluding in the advisory issued vide the order dated 16.07.2025, is an allegation leveled by a third party and the same was not in connection with any grievance raised by him in the matter, pertaining to a deprivation caused to him. Accordingly, the said complaint is not hit by the said provisions of sub section (1) of Section 9 of the Act of 2017 and accordingly the Lokayukta Nagaland had not committed any error in entertaining the said complaint which was within his jurisdiction to so entertain. Accordingly, this Court does not find any infirmity in the advise rendered by the Lokayukta, Nagaland, on completion of the investigation carried out in the matter, vide the order dated 16.07.2024. At this stage it is also to be noted that the petitioners have not brought on record any materials to demonstrate that the conclusions drawn by the Lokayukta Nagaland, were perverse.

15. Having drawn the said conclusion and upheld the advisory contained in the order dated 16.07.2024, this Court would now examine the consequential steps taken thereon, by the Departmental authorities. It is seen that on the order dated 16.07.2024 passed by the Lokayukta, on being forwarded to the Director of Labour and Employment, Skill Development & Entrepreneurship, by the Department concerned, the services of the petitioners

and others came to be terminated vide issuance of the order dated 07.01.2025. However, while proceeding to issue the order dated 07.01.2025, the advise as rendered by Lokayukta Nagaland, to terminate the appointment of the petitioners, herein, and others involved, by following the due process of law, which was specified to be after issuance of show-cause notice to the illegal appointees, including the petitioners, herein, was not complied with. The said infirmity is noticed to have been appreciated by the Government in the Department of Labour and Employment, Skill Development & Entrepreneurship and the said order of termination dated 07.01.2025, was kept in abeyance vide issuance of a notification dated 20.01.2025. Thereafter, the order of termination dated 07.01.2025 was stayed by this Court, in the proceedings of WP(C).No.3/2025.

The respondents, thereafter, on nullification of the termination of the petitioner, issued to each of the petitioners involved in the above noted writ petitions a show-cause notice, all dated 22.01.2025, requiring them to show-cause as to why their services should not be terminated, as they were appointed as MTS, without following the due process of law.

16. This Court, in view of the advise rendered in the matter by the Lokayukta requiring the Departmental authorities to terminate the services of the petitioners and others involved, only after issuing to them a show-cause notice in this connection, finds that the said stipulation

made in the advise rendered in the matter by the Lokayukta Nagaland has now been complied with by the departmental authorities, by issuing the said notice dated 22.01.2025. Accordingly, this Court also does not find any infirmity in the said notice dated 22.01.2025.

17. In view of the above discussion, this Court having not found any infirmity with the advised rendered by the Lokayukta, Nagaland, vide order dated 16.07.2024, as well as with the consequential steps taken in the matter by the Departmental authorities, including the issuance of the show-cause notice to the petitioners dated 22.01.2025, this Court holds that the actions impugned in the present writ petitions would not mandate any interference by this Court.

The petitioners are now required to submit their respective replies within a period of 30(thirty) days from today to the show-cause notice issued to them. The authorities would, thereafter, consider the replies submitted by the petitioners, in the light of the advice and the materials brought on record in the order dated 16.07.2024, and proceed to pass appropriate orders, as may be deemed fit and proper with regard to the appointments effected in the case of the petitioners, herein, within a period of further 30(thirty) days from the date of receipt of the representation from the petitioners, herein. To facilitate the said process, the interim orders operating in the present proceedings, stand vacated.

18. With the above observations and directions the present writ petitions being WP(C).No.3/2025, WP(C).No.17/2025 and WP(C).No.18/2025, stand disposed of.

Sd/-

JUDGE

Comparing Assistant