

GAHC020000322025



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

Case No. : WP(C)/13/2025

SHRI T. YANANG KONYAK
SON OD TAI CHING KONYAK
R/O WAKCHING, MON NAGALAND

VERSUS

STATE OF NAGALAND AND 2 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY
DEPT. OF HORTICULTURE
GOVT. OF NAGALAND
NAGALAND KOHIMA 2:THE COMMISSIONER AND SECRETARY
P AND AR DEPT
NAGALAND KOHIMA

3:THE DIRECTOR
DIRECTORATE OF HORTICULTURE
NAGALAND KOHIM

Advocate for the Petitioner : MOA JAMIR, SHISA
JAMIR,T.METSIEO,THEJANUO METHA,R MERE,M JEMU

Advocate for the Respondent : GOVT ADV NL,

**BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

ORDER

Date : 29-04-2025

Learned Senior Government Advocate Mr. N. Angami for the
official respondent Nos. 1, 2 and 3.

2. Heard learned counsel Mr. Moa Jamir for the petitioner Sri T. Yanang Konyak, who has filed this application under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus or any other orders, directing the respondents to regularize the work-charged service of the petitioner as Peon or to pass any other writ or orders as this Court deems fit and appropriate.

3. It is submitted on behalf of the petitioner that the petitioner was appointed as Peon on ad-hoc basis with effect from 03.03.1993 vide Order No. HR/EST-2/93-94, which is marked as Annexure-1 of the petition.

4. On 08.07.2002, the petitioner was reappointed with other incumbents vide Order No. HR/ESTT-8/2002-03 under the establishment of the District Horticulture Officer Mon, Nagaland with effect from the date of his joining up-to 31.03.2003 on fixed pay.

5. The petitioner has prayed for regularization of his service in terms of Office Memorandum dated 17.03.2015. The petitioner is aggrieved by the inaction as his service has not yet been regularized.

6. It is submitted by the learned Senior Government Advocate that recently a Notification has been issued, numbered as AR/LEGAL-5/8/2024 dated 05.03.2025 for inclusion of Contingency, Fixed and Wage paid employees as Casual Employees under the Nagaland Work Charged and Casual Employees Regulation Act, 2001 by the Chief Secretary to the Government of Nagaland, directing that all Contingency, Fixed and Wage paid employees appointed on

or before 06.06.2016 shall be deemed to be Casual Employees and henceforth, comes under the Work Charged and Casual Employees Commission and shall be eligible for the schemes as notified under the Nagaland Work Charged and Casual Employees Regulation Act, 2001.

7. It is submitted that a letter has been received by the Senior Government Advocate from the Director of Horticulture clarifying that the present petitioner shall fall within the purview of the aforementioned Notification dated 05.03.2025 and OM No. AR-3/GEN-67/2001 dated 05.03.2025.

8. I have considered the submissions at the bar. As the grievance of the petitioner has been addressed, this matter stands disposed of with a direction to the respondents to regularize his service within a period of five months from the date of receipt of certified copy of this order.

9. In terms of the above observation, this petition stands disposed of.

10. The Office Memorandum dated 05.03.2025 and the letter dated 09.04.2025 are kept in the records.

Sd/-

JUDGE

Comparing Assistant