



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

Case No. : WP(C)/23/2025

SHRI HOKIYE SEMA
WORK CHARGE LABOUR
DISTRICT HORTICULTURE OFFICE (DHO)
ZUNHEBOTO, NAGALAND

VERSUS

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

2:THE SECRETARY
HORTICULTURE DEPT.
NAGALAND KOHIMA

3:THE DIRECTOR
HORTICULTURE DEPT.
NAGALAND KOHIMA

4:THE DISTRICT HORTICULTURE OFFICER
ZUNHEBOTO NAGALAND

5:THE COMMISSINER AND SECRETARY
DEPT. OF P AND AR
NAGALAND KOHIMA

6:THE SECRETARY
GOVT. OF NAGALAND
DEPT. OF FINANCE
NAGALAND KOHIM A

Advocate for the Petitioner : K ARKHA ACHUMI, ABEL AYEMI, BENISON V SHOHE, LIMIKA KINIMI

Advocate for the Respondent : GOVT ADV NL,

BEFORE
HON'BLE MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

Date : 11-06-2025

The petitioner has come before this Court due to non granting of scale of pay and regularization of his service after serving for 32 years. It is stated that the petitioner was initially appointed as Office Peon by an order dated 01.12.1992, however the petitioner's pay was subsequently altered from scale pay to fixed pay by an order dated 01.09.1993, issued by the District Horticulture Officer, Zunheboto, Nagaland. The petitioner being the senior most employee among the work charged employees in the Department is entitled for regularization, however, the State respondents have not considered his case for regularization. The petitioner has also submitted several representations praying for consideration of scale of pay and regularization of his service, however, the respondents have not regularized his service till date. Being aggrieved, the petitioner has approached this Court praying for a direction to the respondents for regularization of his service and for granting scale of pay.

2. I have heard the learned counsel for the petitioner, Mr. K. Arkha Achumi and Ms. A. Ayemi, learned Government Advocate for the State respondents.

3. This Court by an order dated 11.04.2025 had observed that the State respondents had produced a letter dated 02.04.2025 written by the

Director of Horticulture, Nagaland, Kohima to the learned Government Advocate stating that a proposal had already been sent to the Government to regularize the service of the petitioner at the District Horticulture Office, Zunheboto. This Court had accordingly directed the learned Government Advocate to bring their stand on record by filing an affidavit. The affidavit has been subsequently filed by the State respondents and in the affidavit at Paragraphs 3 and 4, it is stated that the petitioner being the senior most casual Multi Tasking Staff at the District Horticulture Office, a proposal has been sent to the Government to regularize the service of the petitioner on account of the vacancy created due to the retirement of one Smti. Zusheli, Multi Tasking Staff (MTS), under the said department and the same has been forwarded to the Government by the letter No. HR/DTE/ESTT-29/NG(MINISTERIAL)/2025/2552 dated 19.03.2025. It is further stated in the letter dated 19.03.2025, that the petitioner being the senior most Casual Multi Tasking Staff, his case for regularization will be done in accordance with the P&AR OM No. AR-3/Gen-67/2001(Pt) dated 22.09.2004.

4. In view of the stand taken by the State respondents that a proposal has already been sent by the Director of Horticulture, Nagaland, Kohima to the Secretary to the Government of Nagaland, Department of Horticulture, Nagaland, Kohima, I propose to dispose of the present writ petition with the direction that the Secretary to the Government of Nagaland, Department of Horticulture, Nagaland, Kohima shall take up the case for regularization of the service of the petitioner within a period of 4 (four) months as per the OM No. AR-3/Gen-67/2001(Pt) dated 22.09.2004

and pass a speaking order.

5. The writ petition stands disposed of.

JUDGE

Comparing Assistant