



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

Case No. : WP(C)/70/2025

SHRI Y. YANKIU YIMCHUNGER
WORK CHARGED SECTIONAL ASSISTANT, PWD (R AND B)
TUENSANG DIVISION, NAGALAND

VERSUS

STATE OF NAGALAND AND 3 ORS
THROUGH THE PRINCIPAL SECRETARY/
ADDITIONAL SECRETARY, WORKS
AND ADDITIONAL SECRETARY,
WORKS AND HOUSING DEPT. NAGALAND KOHIMA

2:THE COMMISSIONER AND SECRETARY
DEPT. OF PERSONNEL AND ADMINISTRATIVE REFORMS
NAGALAND KOHIMA

3:THE FINANCE COMMISSIONER
FINANCE DEPT. NAGALAND KOHIMA

4:THE CHIEF ENGINEER
PWD (R AND B)
NAGALAND KOHIMA

Advocate for the Petitioner : MOA JAMIR,
R MERE,
GRACE I NAMGI,
IMTI CHANG,
ROSEMARY KIKON,
YANGROTHUNG HUMTSOE,
SHISA JAMIR,
T.METSIEO,
THEJANUO METHA,
M SOLO,
M JEMU

Advocate for the Respondent : GOVT ADV NL,

**BEFORE
HON'BLE MR. JUSTICE KAKHETO SEMA**

ORDER

Date : 03-06-2025

Heard Mr. Moa Jamir, learned counsel for the petitioner and Ms. B. Kithan, learned Government Advocate for the State respondents.

The case of the petitioner, in brief, is that vide order dated 30.11.1992, the petitioner was initially appointed as Skilled Labour on fixed pay under the establishment of SDO, PWD(R&B), Tuensang Circle, Nagaland. Thereafter, by the order dated 10.06.1994 issued by the Superintending Engineer, PWD (R&B), Tuensang Circle, the petitioner was appointed on temporary basis as Work-charged Jugali in the scale of pay and posted in the establishment of the Office of the SDO PWD (R&B), Tuensang, Nagaland. Subsequently by the order dated 28.06.2013 issued by the Engineer-in-Chief, NPWD, Nagaland, Kohima, the petitioner was promoted to the Sectional Assistant on Work-charged basis in the scale of pay plus all other allowances as admissible from time to time in Nagaland. After rendering service in the department for more than 27 years as Work-charged employees, the petitioner submitted the representation dated Nil for regularisation of his service, however the same was left unattended. The petitioner thereafter submitted another representation dated 03.03.2022 for regularisation of his service and in response to which the Engineer-in-Chief, NPWD, Nagaland, Kohima vide letter dated 12.04.2022 informed the petitioner that the petitioner's case for regularisation will be taken up after examining his record. However, as no action was taken by the State respondents to regularise the service of

the petitioner, the present petition has been filed.

It is further the case of the petitioner that as the petitioner has completed 30 years of continuous Work-charged service on 30.11.2025, the petitioner has the right to be considered for regularisation in service in terms of the O.M dated 17.03.2015 issued by the Government of Nagaland, Personnel and Administrative Reforms Department (Administrative Reforms Branch) which provides the Scheme for regularisation and absorption of Work-charged and Casual Employees and Revision of Pay/Wages.

On 19.05.2025, when the case was listed, Ms. B. Kithan, learned Government Advocate has placed the letter dated 24.10.2024 written by the Engineer-in-Chief, NPWD, Nagaland, Kohima to the Commissioner & Secretary to the Government of Nagaland, Work & Housing Department, Nagaland, Kohima with regard to the submission of the proposal for regularisation of Work-charged employees, 6th phase, who have completed 30(thirty) years of service and above as on 01.07.2024 under NPWD. In the said letter dated 24.10.2024, the petitioner's name appeared in Sl. No. 14 of the list for regularisation of Work-charged employees, 6th phase who have completed 30(thirty) years of service as on 31.07.2024 under the NPWD (R&B).

In view of the letter placed by the learned Government Advocate, the petitioner sought for 2(two) weeks time to receive necessary instruction on the letter dated 24.10.2024.

Today, when the matter is listed, Mr. Moa Jamir, learned counsel for the petitioner, on instruction, submits that in the light of the letter dated 24.10.2024 in which the name of the petitioner is also being submitted amongst the proposal for regularisation of Work-charged employees under the NPWD (R&B), the writ petition may be closed with a direction to the State respondents to act on the letter dated 24.10.2024 and to

consider the proposal for regularisation of the service of the petitioner within a reasonable period of time.

Ms. B. Kithan, learned Government Advocate has no objection to the submission made by the learned counsel for the petitioner for considering the regularisation of service in terms of the letter dated 24.10.2024.

In view of the submissions made by the learned counsel for the parties and on perusal of the letter dated 24.10.2024 written by the Engineer-in-Chief, NPWD, Nagaland, Kohima to the Commissioner & Secretary to the Government of Nagaland, Work & Housing, Nagaland, Kohima where the proposal has also been submitted for regularisation of the Work-charged service of the petitioner, the writ petition stands disposed of with a direction to the State respondents to consider the proposal for regularisation of Work-charged service of the petitioner within a reasonable period of time but not later than 6(six) months from today in terms of the O.M dated 17.03.2015 and in accordance with law.

The writ petition accordingly stands disposed.

Sd/-

JUDGE

Comparing Assistant