

GAHC020002512025

2025:GAU-NL:186



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

Case No. : WP(C)/78/2025

SHRI BUSUMEREN IMSONG
S/O SHRI SATEMMEREN IMSONG,R/O UNGMA VILLAGE,
MOKOKCHUNG, NAGALAND

VERSUS

STATE OF NAGALAND AND 2 ORS
REPRESENTED BY THE CHIEF SECRETARY, NAGALAND KOHIMA

2:THE COMMISSIONER AND SECRETARY
DEPT. OF SCHOOL EDUCATION
NAGALAND KOHIMA

3:THE PRINCIPAL DIRECTOR
DEPT. OF SCHOOL EDUCATION
NAGALAND KOHIM

Advocate for the Petitioner : TOSHI O. LONGKUMER,

Advocate for the Respondent : GOVT ADV NL,

**BEFORE
HON'BLE MRS. JUSTICE YARENJUNGLA LONGKUMER**

ORDER

08.05.2025

Heard Mr. Toshi O. Longkumer, learned counsel for the petitioner. Learned Government Advocate, Ms. Bichano Kithan appears for the respondent nos. 1, 2 and 3.

2. The petitioner is before this Court praying for appointment on landownership basis on the strength of the Office Memorandum bearing No. LR/6-181/LIT/2015 dated 05.03.2018. The case of the petitioner is that during the early 1960s the landowners of Ungma Village had donated land to the Government for the establishment of Educational Institutions wherein the existing Government Higher Secondary School, Senayangba, Ungma is situated. It is stated that the land was freely donated to the Government of Nagaland on the specific condition that Grade-IV post will be provided for the landowner. It is stated that no compensation was claimed for the same. The petitioner has enclosed a copy of the landownership Certificate at Annexure-A whereby by Letter dated 07.11.2024, it has certified that the present petitioner is a bonafide member of the Imsongunger clan and a landowner. It is also stated that the petitioner on the basis of such Certificate was appointed on ad-hoc basis as Chowkidar vide Order No. ED/GHSS/C-4/2009-10 dated 22.09.2011. It is the case of the petitioner that on the basis of the said Notification dated 05.03.2018 his case should have been considered for regular appointment on the basis of landownership. The petitioner,

therefore, prays that a direction may be given to the State respondents to consider the claim of the petitioner in terms of Clause 3(b) of the Notification dated 05.03.2018 and to appoint the petitioner on regular basis as a landowner as per the existing policy.

3. This Court is of the view that the present writ petition can be disposed of at this stage with a direction to the respondent nos. 1, 2 and 3 to consider the case of the petitioner in terms of Clause 3(b) of the Notification dated 05.03.2018. The respondent no. 3 shall issue necessary instructions to the Deputy Commissioner of the concerned District in order to verify the petitioner's claims from Government Officials of the Department, the District Administration as well as the Village Functionaries and thereafter if the petitioner is found to be eligible under Clause 3(b) of the Notification dated 05.03.2018, appoint him on regular basis within 6 (six) months.

4. Petitioner shall supply extra copies of the petition to the learned Government Advocate.

5. With the above mentioned directions this petition stands disposed of.

JUDGE

Comparing Assistant