GAHC020004182024

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

Case No. : WP(C)/148/2024

SHRI GAITHUI AND 17 ORS
RTD. W/C KHALASI
O/O THE E.E. (PHED)
PEREN DIVISION, PHED, NAGALAND

2: SHRI MEIRIULUNG
RTD. W/C KHALASI
O/O THE E.E. (PHED)
PEREN DIVISION
PHED
NAGALAND

3: SHRI DINGAULUNG
RTD. W/C KHALASI
O/O THE E.E. (PHED)
PEREN DIVISION
PHED
NAGALAND

4: SHRI ALONG
RTD. W/C KHALASI
O/O THE E.E. (PHED)
PEREN DIVISION
PHED
NAGALAND

5: SHRI CHINGAM
RTD. W/C KHALASI
O/O THE E.E. (PHED)
PEREN DIVISION
PHED
NAGALAND

6: SHRI ALAMBE
RTD. W/C KHALASI
O/O THE E.E. (PHED)

PEREN DIVISION
PHED
NAGALAND

7: SHRI NGWANGBE
RTD. W/C KHALASI
O/O THE E.E. (PHED)
PEREN DIVISION
PHED
NAGALAND

8: SHRI NAMGAK
RTD. W/C KHALASI
O/O THE E.E. (PHED)
PEREN DIVISION
PHED
NAGALAND

9: SHRI LAMKHOGIN
RTD. W/C LABOUR
O/O THE SDO (PHED)
JALUKIE SUB- DIVISION
PHED
NAGALAND

10: SHRI THANGTINGPHO
RTD. W/C KHALASI
O/O THE E.E. (PHED)
PEREN DIVISION
PHED
NAGALAND

11: SHRI SEIHEN
RTD. W/C KHALASI
O/O THE E.E. (PHED)
PEREN DIVISION
PHED
NAGALAND

12: SHRI CHIUNGSEI CHONGLOI
RTD. W/C KHALASI
O/O THE E.E. (PHED)
PEREN DIVISION
PHED
NAGALAND

13: SHRI SONGKHOLAM
RTD. W/C JUGALI

O/O THE E.E. (PHED)
PEREN DIVISION
PHED
NAGALAND

14: SHRI KAMZANG
RTD. W/C KHALASI
O/O THE E.E. (PHED)
PEREN DIVISION
PHED
NAGALAND

15: SHRI SEIKHOLAM HANGSING
RTD. W/C JUGALI
O/O THE E.E. (PHED)
PEREN DIVISION
PHED
NAGALAND

16: SHRI MBAILANG
RTD. W/C KHALASI
O/O THE E.E. (PHED)
PEREN DIVISION
PHED
NAGALAND

17: SHRI TOTBONG
RTD. W/C KHALASI
O/O THE E.E. (PHED)
PEREN DIVISION
PHED
NAGALAND

18: SHRI N.K. TUTONGBOU
RTD. W/C KHALASI
O/O THE E.E. (PHED)
PEREN DIVISION
PHED
NAGALAN

VERSUS

THE STATE OF NAGALAND AND 3 ORS
REPRESENTED THROUGH THE CHIEF SECRETARY TO THE GOVT. OF NAGALAND 2:THE COMMISSIONER AND SECRETARY
PHED NAGALAND KOHIMA

3:THE CHIEF ENGINEER

PHED NAGALAND KOHIMA

4:THE EXECUTIVE ENGINEER
PEREN DIVISION
PHED NAGALAN

Advocate for the Petitioner : N. LONGKUMER, REBECCA,KIM PIENYU,NISUKA CHISHI

Advocate for the Respondent : GOVT ADV NL,

Linked Case : WP(C)/147/2024

SMTI. SANGJONGLIU AND 2 ORS
RTD. W/C KHALASI
O/O THE SDO (PHED)
JALUKIE SUB-DIVISION
PHED
NAGALAND

2: SHRI KHANGMANGBO
RTD. W/C JUGALI
O/O THE SDO (PHED)
JALUKIE SUB-DIVISION
PHED
NAGALAND

3: SHRI HOAKAI
RTD. W/C JUGALI
O/O THE SDO (PHED)
JALUKIE SUB-DIVISION
PHED
NAGALAND
VERSUS

THE STATE OF NAGALAND AND 2 ORS
REPRESENTED THROUGH THE CHIEF SECRETARY
GOVT. OF NAGALAND
KOHIMA

2:THE COMMISSIONER AND SECRETARY
PHED NAGALAND KOHIMA

3:THE CHIEF ENGINEER

PHED
NAGALAND KOHIMA

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

BEFORE
HON'BLE MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

Date : 09-09-2025

Heard the learned counsel for the petitioners Mr. N. Longkumer and also Mr. Moa Imchen, learned Sr. Government Advocate for the State respondents.

2. The two writ petitions are disposed of by this common judgment as it pertains to the same subject matter and are analogous in nature.

3. The case of the petitioners in W.P.(C) 147/2024 is that they are all retired Work-Charged employees under the establishment of Sub-Divisional Officer (PHED) Jalukie Division, Peren Nagaland. It is stated that the petitioners were released from service on attaining 35 years of service and even after serving for 35 years, their services have not been regularized. The petitioners are all eligible for regularization of their service in terms of the O.M. No.AR-3/GEN-201/2009 dated 17.03.2015.

4. The State respondents have filed affidavit-in-opposition and at paragraph 6 of the affidavit-in-opposition it is stated that the petitioners are eligible to be considered for regularization under the O.M dated 22.09.2004 and 17.03.2015. It is further stated that the petitioner No.1 in W.P.(C) 147/2024 Smti

Sangzongliu has already been regularized by order dated 13.09.2024 (Annexure-2) in the affidavit-in-opposition.

5. The State respondents have also stated that in respect of the petitioner Nos. 2 and 3 i.e. Shri Khangmangbo and Shri. Hoakai, several clearances from various Departments are required. Firstly, from the Personnel & Administrative Reforms Department, clearance from Finance Department and MRC (Manpower Rationalization Committee) and lastly Cabinet approval is required. It is stated in the affidavit-in-opposition that the case of the petitioner Nos. 2 and 3 will be considered as and when the entire process is completed and on acquiring all the clearances from the afore mentioned Departments.

6. In W.P.(C) 148/2024, the State respondents have filed a similar affidavit-in-opposition stating that the petitioner Nos. 1,2,3,4,5,6,7,8,10,12,14,17 and 18 have been regularized to regular post personal to them after obtaining Cabinet approval. It is also stated in the affidavit-in-opposition that the case of the petitioner Nos. 9,11,13,15 and 16 are still pending as clearance from the Personnel & Administrative Reforms Department, clearance from Finance Department and MRC (Manpower Rationalization Committee) and Cabinet approval is awaited. Similarly, it is also stated by the State respondents that the case of the petitioner Nos. 9,11,13,15 and 16 will be considered as and when the entire process is completed and upon acquiring all the clearances from the afore mentioned Departments.

7. The State respondents have also enclosed copies of the regularization orders of the petitioners whose services have already been regularized.

8. In view of the above submissions of the petitioners and the contentions in the affidavit-in-opposition filed by the State respondents, the above writ petitions are disposed of with a direction to the respondent Nos. 1, 2 and 3 to finalize the entire process and issue regularization orders of the remaining petitioner Nos. 2 and 3 in W.P.(C) 147/2024 and the petitioner Nos. 9,11,13,15 and 16 in W.P.(C) 148/2024 within a period of 6(six) months from the date of this order.

9. With the above directions, the writ petitions stands disposed of.

Sd/-
JUDGE

Comparing Assistant