



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

Case No. : WP(C)/191/2025

SMTI. ASHINU SAVI
D/O LATE MHASHESHIO KHIEYA, R/O JAKHAMA VILLAGE, KOHIMA
DISTRICT- NAGALAND

VERSUS

STATE OF NAGALAND AND 5 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF NAGALAND
2:COMMISSIONER AND SECRETARY
NAGALAND PUBLIC WORKS DEPARTMENT
NAGALAND KOHIMA

3:COMMISSIONER AND SECRETARY
DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS
NAGALAND KOHIMA

4:THE SECRETARY
DEPARTMENT OF FINANCE
NAGALAND KOHIMA

5:THE CHIEF ENGINEER
NAGALAND PUBLIC WORKS DEPARTMENT (HOUSING)
NAGALAND KOHIMA

6:THE EXECUTIVE ENGINEER
PUBLIC WORKS DEPARTMENT (HOUSING)
KOHIMA NAGALAN

Advocate for the Petitioner : A. SOPHIE, PHENIANG LUSHING

Advocate for the Respondent : GOVT ADV NL,

**BEFORE
HON'BLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

Date : 25-09-2025

Heard Mr. A. Sophie, learned counsel for the petitioner and Ms. Pichano, learned State Counsel appearing for the respondent nos. 1 to 6.

2. In view of the nature of issue involved and as agreed to by the learned counsel for the parties, this writ petition is taken up for consideration at the motion stage itself.

3. The projected case of the petitioner is that initially by an Office Order dated 30.08.1994 [Annexure-B], the petitioner came to be appointed as a Work-Charged Jugali in the scale of pay of Rs. 800-18-890-20-1050-25-1475/- per month with effect from the date of joining. Pursuant to the said Office Order, the petitioner joined his service as a Work-Charged Jugali in the establishment of the Executive Engineer, Public Works Department [Housing], Phek Division, Nagaland. Subsequently by an Office Order dated 05.09.1995, the petitioner was transferred and posted at Kohima in the Sub-Divisional Office of the PWD, [Housing].

4. Having regard to the situation faced by the Work-Charged and Casual Employees in the State of Nagaland, the Personnel & Administrative Reforms [P&AR] Department, Government of Nagaland has framed a 'Scheme for regularization and absorption of Work-Charged and Casual Employees' ['the Scheme', for short] in the year 2015 and the said Scheme has been notified by an Office

Memorandum dated 17.03.2015 [Annexure-3]. As per the Scheme notified by the Office Memorandum dated 17.03.2015, all existing Work-Charged and Casual Employees of various departments who are enjoying scale of pay and who have completed thirty years or more continuous services as on 01.01.2015 would be regularized by conversion of their posts into regular ones personal to them and subject to fulfilment of conditions mentioned therein. It has been further mentioned that in respect of those Work Charged and Casual Employees in scale of pay who have completed or would complete thirty years of continuous services after 01.01.2015, their cases for regularization would be taken up subsequently in two batches as on 1st July and 1st January every year.

5. It is the further case of the petitioner that on being on being eligible to be regularized in terms of the Scheme, he submitted a Representation before the Chief Engineer, Public Works Department [Housing], Nagaland on 20.08.2025 [Annexure-E] to consider his case for regularization and the receipt of the said Representation was duly acknowledged by the office of the Chief Engineer, Public Works Department [Housing], Nagaland under its signature and seal on 20.08.2025 itself.

6. As no action seemed to have been taken regarding regularization of the services of the petitioner in terms of the Scheme notified by the Office Memorandum dated 17.03.2015, the petitioner is before this Court by way of this writ petition seeking inter alia a direction to the State respondents to regularize the services of the petitioner in terms of the Scheme notified by the Office Memorandum dated 17.03.2015.

7. Mr. Sophie, learned counsel for the petitioner has submitted that in an earlier occasion, this Court by an Order dated 27.09.2024 passed in a writ petition, W.P.[C] no. 221/2024, directed the State respondents to complete the process of regularization of the services of the petitioner therein, who is similarly situated like the petitioner herein, within a stipulated period of time.

8. Ms. Pichano, learned Government Advocate appearing for the State respondents has submitted that as the petitioner is similarly situated like the petitioners in the writ petition, W.P.[C] no. 221/2024, this writ petition can be disposed of with similar directions

9. As it is evident from the Office Memorandum dated 17.03.2015, the State of Nagaland has already framed a Scheme for regularization and absorption of Work Charged and Casual Employees by providing that all Work-Charged and Casual Employees of various departments who are enjoying scale of pay and who have completed thirty years or more continuous services would be regularized from time to time, subject to fulfilment of the conditions indicated therein. As the petitioner is found to have fulfilled the two main conditions, that is, thirty years or more continuous service as a Work-Charged employee and the grant of a scale of pay, the State respondents are obligated to consider the case of the petitioner for regularization in terms of the Scheme framed and notified by the Office Memorandum dated 17.03.2015 subject to fulfilment of the other conditions mentioned therein.

10. In the above obtaining fact situation, the instant writ petition is disposed of with a direction to the State respondents to consider

the case of the petitioner in terms of the Scheme framed for regularization and notified by the Office Memorandum dated 17.03.2015 and to bring the process to its logical conclusion as expeditiously as possible, preferably on or before 31.01.2026.

11. This order disposes of the writ petition. No cost.

Sd/-

JUDGE

Comparing Assistant