



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

Case No. : WP(C)/230/2024

SMTI. KENYILEHOLE AND 5 ORS
W/O MHASHEKHOL TSUKRU
R/O KHUZAMA VILLAGE
KOHIMA DIST.
NAGALAND

2: SMTI. TELEKHONUO @ TELEKHONUO TEPA
D/O LT. PFEZHIE TEPA
R/O MIMA VILLAGE
KOHIMA NAGALAND

3: SHRI PELEBELIE @ PELEBEILIE ANGAMI
S/O ZAKIESELIE
R/O RUSOMA VILLAGE
KOHIMA NAGALAND

4: SHRI RAMAKANT DEY
S/O LT. GOPALKRISHNA DEY
R/O KRISHNA NAGAR
HOJAI ASSAM

5: SHRI ADHIR DEY
S/O LT. MATILAL DEY
R/O NAOJAN ASSAM

6: SMTI. SHALEM PHOM
D/O HENHAM PHOM
R/O H.NO. 014
UC ROAD NH 61
DAKLANE WARD 7
KOHIMA NAGALAN

VERSUS

THE STATE OF NAGALAND AND 3 ORS
THROUGH THE CHIEF SECRETARY TO THE GOVT. OF NAGALAND
NAGALAND KOHIMA

2:THE COMMISSIONER AND SECRETARY
P AND AR DEPT.
NAGALAND KOHIMA

3:THE COMMISSIONER AND SECRETARY
HEALTH AND FAMILY WELFARE DEPT.
NAGALAND KOHIMA

4:THE PRINCIPAL DIRECTOR
HEALTH AND FAMILY WELFARE
NAGALAND KOHIMA

Advocate for the Petitioner : KEDUVI ZHOTSO, MHALE WEO,MEDO
KIKHI,VIKHONO KISO

Advocate for the Respondent : GOVT ADV NL,

BEFORE
HON'BLE MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

23.07.2025

This petition has been filed by the petitioners praying for regularization of their Work-Charged service on completion of 30 (thirty) years of service.

2. I have heard the learned counsel for the petitioners, Ms. Vikhono Kiso and learned Government Advocate, Ms. Livika for the State respondents.

3. The petitioners were appointed as Work-Charged employees in the Office of the Executive Engineer, Medical Engineering Division, Kohima, Nagaland under the establishment of the Department of Health & Family

Welfare, Nagaland, Kohima by Office Orders dated 20.12.1989, 01.10.1988, 27.06.1990, Nil January 1990 (for petitioner nos. 4 and 5) and 05.12.1990 and presently drawing scale of pay. It is stated that the petitioners have been serving in the Department for more than 30 (thirty) years without any break in service and, therefore, eligible to be considered for regularization under the Office Memorandum No. AR-3/GEN-67/2001(Pt) dated 22.09.2004 and Office Memorandum No. AR-3/GEN-201-2009 dated 17.03.2015.

4. The State respondents have filed an affidavit on 05.06.2025 stating that the petitioners were found eligible for regularization of their service as per the Office Memorandum dated 17.03.2015 and the cases of the petitioners were, therefore, processed for regularization. It is stated that the clearance for creation of 8 (eight) posts was obtained from the P&AR Department vide U.O. No. 868 dated 20.12.2021. Thereafter, the concurrence of the Finance Department was also obtained vide RFC/ESTT No. 35/25 dated 19.02.2022. The recommendation of the Manpower Rationalization Committee was also obtained vide No. AR-3.GEN-331/16 (Vol-II) dated 18.10.2024. It is stated in the affidavit that the cases of the petitioners have been submitted to the Cabinet Cell on 26.11.2024 for approval. Learned Government Advocate, therefore, submits that the cases of the petitioners are already under consideration as stated hereinabove.

5. In view of the fact that the petitioners are eligible for regularization under the aforementioned Office Memorandum dated 17.03.2015 and in view of the fact that the respondents have already processed the cases of

the petitioners for regularization of their Work-Charged service, the petition is disposed of with a direction to the Government respondent nos. 1, 2, 3 and 4 to complete the process of regularization within a period of 3 (three) months from the date of receipt of a copy of this Order.

6. With the aforesaid directions this petition stands disposed of.

JUDGE

Comparing Assistant