



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

**Case No. : I.A.(Civil)/187/2025 in
WP(C)/56/2025**

NEW INDIA ASSURANCE CO. LTD
REPRESENTED BY THE ASSISTANT MANAGER, GUWAHATI R.O., NORTH
EASTERN REGIONAL OFFICE, G.S. ROAD, BHANGAGARJ, GUWAHATI-781005,
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VERSUS

MR. ENIBEMO LOTH AND 7 ORS
BROTHER OF LATE K. BIPENTHUNG LOTH, P/O- TSUMANG A COLONY,
WOKHA, NAGALAND 2:UNION OF INDIA
REPRESENTED BY THE SECRETARY
MINISTRY OF HEALTH AND FAMILY WELFARE
NIRMAN BHAWAN NEW DELHI-110011

3:THE STATE OF NAGALAND
REPRESENTED BY THECHIEF SECRETARY. GOVT. OF NAGALAND
NAGALAND KOHIMA

4:THE COMMISSIONER AND SECRETARY
GOVT. OF NAGALAND
HEALTH AND FAMILY WELFARE DEPT
NEW SECRETARIAT
NAGALAND KOHIMA-797001

5:THE PRINCIPAL DIRECTOR
DIRECTORATE OF HEALTH AND FAMILY WELFARE
NAGALAND KOHIMA-797001

6:THE DEPUTY COMMISSIONER
WOKHA DISTRICT-797111
NAGALAND

7:THE ADDITIONAL DEPUTY COMMISSIONER

WOKHA NAGALAND

8:THE ADDITIONAL DEPUTY COMMISSIONER
WOKHA NAGALAN

Advocate for the Petitioner : PFOSEKHO PFOTTE,

Advocate for the Respondent : ,

BEFORE
HON'BLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

30.10.2025

Heard Shri Pfosekho Pfotte, learned counsel for the applicant, who, by means of this application, has prayed for deletion of its name as the respondent no. 8 in the connected WP(C)/56/2025.

The learned counsel for the applicant has drawn the attention of this Court to the communication dated 29.04.2024 enclosed as Annexure-A which is issued by the Ministry of Health and Family Welfare, Government of India. By the said communication, it has been requested to handover all the pending original claim documents to the said Ministry. Shri Pfotte, learned counsel, accordingly submits that in view of the above, the applicant will not have any role in the adjudication of the present writ petition.

Shri Z Kulnu, learned counsel for the opposite party / writ petitioner has, however, submitted that the prayer for deletion may not be appropriate at this stage inasmuch, as the aforesaid communication dated 29.04.2024 have also made a mention of some kind of role which is still to be played by the applicant.

Considered the rival submissions.

The present prayer is primarily based on the communication dated

29.04.2024, the relevant portions of which are extracted hereinbelow:

“4. Hence, you are requested to handover all the pending original claim documents (along with all supporting documents) pertaining to PMGKP to the undersigned along with forwarding letter from NIACL duly signed and stamped.

5. Furthermore, NIACL is kindly asked to maintain its valuable support to the MoHFW by assisting in acquiring any necessary supporting documents from regional offices and liaising with State Nodal authorities for coordination purposes till the pending claims are processed by MoHFW.”

While the applicant would be correct in contending that the original records have been directed to be handed over back to the Ministry, from the contents of paragraph 5 thereof, it cannot be said that the role of the applicant is completely severed from the issue involved.

In view of the above, presently, this Court is not inclined to direct the deletion of the applicant as the respondent no. 8.

IA accordingly stands disposed of.

Sd/-

JUDGE

Comparing Assistant