GAHC020007802026

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

Case No. : WP(C)/173/2026

SHRI KAMNYEI PHOM
PAINTER, EXECUTIVE ENGINEER, PWD(H), LONGLENG DIVISION, LONGLENG, NAGALAND

VERSUS

THE STATE OF NAGALAND AND 5 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF NAGALAND, KOHIMA.

2:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF NAGALAND
DEPARTMENT OF WORK AND HOUSING
NAGALAND KOHIMA

3:THE ENGINEER IN CHIEF
NPWD NAGALAND KOHIMA

4:THE EXECUTIVE ENGINEER
PWD (H) LONGLENG DIVISION
NAGALAND PWD (H) LONGLENG DIVISION NAGALAND

5:THE SECRETARY
TO THE GOVT. OF NAGALAND
DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS
NAGALAND KOHIMA

6:THE FINANCE COMMISSIONER
TO THE GOVT. OF NAGALAND KOHIMA NAGALAND

Advocate for the Petitioner : LAKNYEI PHOM, ACHIBA OZUKUM,PANGOM W KHEMAN,KETI IMCHEN,REBECCA,KIM PIENYU

Advocate for the Respondent : GOVT ADV NL,

BEFORE
HON'BLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 10.11.2026

Heard Mr. Laknyei Phom, learned counsel for the petitioner. Also heard Ms. S. Mere, learned Senior Government Advocate, appearing on behalf of all the respondents.

2. The present petitioner claims to have been appointed as Painter under the establishment of the Executive Engineer, Public Works Department(H), Longleng Division, on 26.04.1993. It is contended that he has completed 30 years of his service in the same capacity w.e.f. 26.04.1993.

3. The grievance of the petitioner is that despite issuance of the Office Memorandum No. AR-3/GEN-201/2009 dated 17.03.2015 by the Government of Nagaland, which provides for for regularization and absorption of Work-Charged and Casual Employees, his service has not been regularized till date even after completion of 30 years of continuous service.

4. By filing this petition under Article 226 of the Constitution of India; the petitioner seeks for directions to the competent authority to regularize his service in terms of the Office Memorandum dated 17.03.2015 and if entitled, release the arrears of salary.

5. Learned counsel for the petitioner submits that in this regard, the petitioner has filed a representation before the Executive Engineer, Public Works Department(Housing), Longleng Division,

Nagaland, requesting for regularization of his service in terms of the Office Memorandum dated 17.03.2015, which was duly forwarded to the Engineer-in-Chief, Nagaland Public Works Department, Nagaland, Kohima, on 08.05.2023. However, it is contended that the said representation is still pending disposal before the respondent authority.

6. At this stage, Mr. Phom, learned counsel for the petitioner, submits that a direction may be issued to the competent authority to consider the case of the petitioner for regularization of his service and dispose of the petitioner's representation which was forwarded to the Engineer-in-Chief, Nagaland Public Works Department, Nagaland, Kohima, on 08.05.2023, in terms of the Office Memorandum dated 17.03.2015.

7. Ms. Mere, learned Senior Government Advocate, submits that pursuant to this Court's order dated 12.10.2026, she has produced a letter dated 15.10.2026, from the Engineer-in-Chief, Nagaland Public Works Department, Nagaland, Kohima, which is taken on record. The communication, amongst others, stated that the name of the petitioner is placed at Serial No. 31 of the Seniority List of the Employees in the Department who have completed 30 years of service and that the case of the petitioner for regularization of his service is under active consideration in terms of the Office Memorandum dated 17.03.2015. It is further stated that upon consideration, if the petitioner is found eligible with all documents proof, his case would be considered in accordance with the communication dated 06.05.2005, issued by the Department of P&AR, Government of Nagaland. It is also stated that in order to regularize the service of the petitioner, who is a Work-Charged employee, it has to undergo a lengthy process. Ms. Mere, learned

Senior Government Advocate, therefore, submits that this writ petition can be disposed of with a direction to the competent authority to consider the case of the petitioner in accordance with the Office Memorandum dated 17.03.2015. However, she prays that reasonable time frame be granted to the respondent authorities for completion of the process for regularization of the service of the petitioner.

8. In view of the above submissions and as agreed upon by the learned counsels for the parties, this writ petition is disposed of with a direction to the competent authority that they shall consider the case of the petitioner for regularization of his service in accordance with the Office Memorandum dated 17.03.2015, and since the process for regularization of the petitioner's service has already stated to have begun, the authority shall complete the entire process within a period of 6(six) months from the date of receipt of a certified copy of this order.

9. The outcome of such consideration shall be communicated to the petitioner forthwith.

10. The writ petition stands disposed of in terms above.

Sd/-

JUDGE

Comparing Assistant