

GAHC010023552015



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

**Case No. : WP(C)/6375/2015**

DR. GANESH CHANDRA BORA and 12 ORS  
READER/ASSOCIATE PROFESSOR, DR J.K. SAIKIA HOMEOPATHIC  
MEDICAL COLLEGE and HOSPITAL, JORHAT, ASSAM, PIN - 785008.

2: DR. BILASH PEGU  
PROFESSOR  
DR. J.K. SAIKIA HOMEOPATHIC MEDICAL COLLEGE AND HOSPITAL  
JORHAT  
ASSAM.

3: DR. KHIROD KUMAR GOSWAMI  
PROFESSOR  
SWAHID JADAV NATH HOMEOPATHIC MEDICAL COLLEGE AND  
HOSPITAL  
GUWAHATI  
ASSAM

4: DR. SAILENDRA NATH KALITA  
PROFESSOR  
SWAHID JADAB NATH HOMEOPATHIC MEDICAL COLLEGE AND  
HOSPITAL  
GUWAHATI  
ASSAM

5: DR. DHIREN CHANDRA DAS  
PROFESSOR  
SWAHID JADAB NATH HOMEOPATHIC MEDICAL COLLEGE AND  
HOSPITAL  
GUWAHATI  
ASSAM

6: DR. PRANAB SARMA  
  
READER/ASSOCIATE PROFESSOR

SWAHID JADAB NATH HOMEOPATHIC MEDICAL COLLEGE AND  
HOSPITAL  
GUWAHATI  
ASSAM

7: DR. NILIMA BHATTACHARYYA  
READER/ASSOCIATE PROFESSOR  
SWAHID JADAB NATH HOMEOPATHIC MEDICAL COLLEGE AND  
HOSPITAL  
GUWAHATI  
ASSAM

8: DR. NAND KUMAR MISHRA  
PROFESSOR  
SWAHID JADAB NATH HOMEOPATHIC MEDICAL COLLEGE AND  
HOSPITAL  
GUWAHATI  
ASSAM

9: DR. DEVAJYOTI BHATTACHARYYA  
PROFESSOR  
ASSAM HOMEOPATHIC MEDICAL COLLEGE AND HOSPITAL  
NAGAON  
ASSAM

10: DR. SOLEMAN ALI  
  
READER/ASSOCIATE PROFESSOR  
SWAHID JADAB NATH HOMEOPATHIC MEDICAL COLLEGE AND  
HOSPITAL  
GUWAHATI  
ASSAM

11.1: MAMANI BARUAH  
W/O LT. MODIT RANJAN GOGOI  
R/O BRAHMAPUTRA HOUSING COLONY  
BHETAPARA  
GUWAHATI

11.2: HRISIKESH GOGOI  
S/O LT. MODIT RANJAN GOGOI  
R/O BRAHMAPUTRA HOUSING COLONY  
BHETAPARA  
GUWAHATI

11.3: BHASKAR JYOTI GOGOI  
S/O LT. MODIT RANJAN GOGOI  
R/O BRAHMAPUTRA HOUSING COLONY

BHETAPARA  
GUWAHATI

12: DR. BAIKUNTHA BARMAN  
ASSOCIATE PROFESSOR  
SWAHID JADAB NATH HOMEOPATHIC MEDICAL COLLEGE AND  
HOSPITAL  
GUWAHATI  
ASSAM

13: DR. YUMNAM SARITA  
LECTURER/ASSISTANT PROFESSOR  
SWAHID JADAB NATH HOMEOPATHIC MEDICAL COLLEGE AND  
HOSPITAL  
GUWAHATI  
ASSAM

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,  
DEPARTMENT OF HEALTH and FAMILY WELFARE, DISPUR, GUWAHATI -  
781006.

2: THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
FINANCE DEPARTMENT  
DISPUR  
GHY-6.

3: THE DIRECTOR OF AYUSH  
ASSAM  
HOUSE NO.1  
BANPHUL NAGAR PATH  
BASISTHA ROAD  
GUWAHATI

**Advocate for the Petitioner** : MR. I KALITA, MRS. BHANITA CHOUDHURY (P-1 to 13), MR. K  
M HALOI (P-1 to 13), MR. A CHETRY, MR. P N PHOM, MS. P BORGOHAIN, MR. N J  
KHATANIAR, MR. U K NAIR (Sr. Adv.), MR. M P SARMA, MR. P N GOSWAMI

**Advocate for the Respondent** : , SC, HEALTH,,,,, SC, FINANCE,,

**BEFORE  
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

**ORDER**

**16.09.2024**

Shri P. Nayak, learned Standing Counsel, Finance Department has placed on record a communication containing written instructions dated 27.06.2022 as per which after a joint meeting of the Health and Family Welfare Department and the Finance Department, the Health and Family Welfare Department being the Administrative Department was to take a policy decision for granting AICTE pay scale to the Post Graduate Teaching Staff of Homeopathic Medical Colleges with justifications and work the financial implications.

Though the aforesaid communication is of the June, 2022, the learned Standing Counsel for the Health Department, Shri D.P. Bora, does not have any instructions in this regard.

In view of the categorical stand of the Departments which would appear from the communication dated 27.06.2022, Shri Bora, the learned Standing Counsel is directed to obtain specific instructions on the aspect of taking the policy decision as per the joint meeting which was held pursuant to the order dated 13.05.2019 passed in this proceeding.

List this matter on 26.09.2024.

**JUDGE**

**Comparing Assistant**