

GAHC010033292023



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

Case No. : WP(C)/992/2023

RAJENDRA PHANGLO
S/O- NATHUN PHANGLO, R/O- PIDIK BASTI, P.S. MAIBONG, P.O. KHEPRI,
DIST.- DIMA HASAO, ASSAM

VERSUS

THE STATE OF ASSAM AND 10 ORS
REP. BY THE COMM. AND SECY., TO THE GOVT. OF ASSAM, PWD (ROADS),
DISPUR, GHY-06

2:THE SECRETARY
TO THE GOVT. OF ASSAM
P.W.D. (ROADS)
DISPUR
GHY-06

3:THE COMM. AND SECY. TO THE GOVT. OF ASSAM
FINANCE DEPTT.
DISPUR
GHY-06

4:THE CHIEF ENGINEER
P.W.D. (ROADS)
CHANDMARI
GHY-03

5:THE PRINCIPAL SECRETARY
N.C. HILLS AUTONOMOUS COUNCIL HAFLONG
DIST.- DIMA HASAO
ASSAM
PIN- 788819

6:THE DY. SECRETARY
N.C. HILLS AUTONOMOUS COUNCIL HAFLONG
DIST.- DIMA HASAO
ASSAM
PIN- 788819

7:THE ADDL. CHIEF ENGINEER
P.W.D. (R AND B)
HILLS
HAFLONG CIRCLE
DIST.- DIMA HASAO
ASSAM
PIN- 788819

8:THE SUPERINTENDING ENGINEER
P.W.D. (R AND B)
HILLS
HAFLONG CIRCLE
DIST.- DIMA HASAO
ASSAM
PIN- 788819

9:THE EXECUTIVE ENGINEER
MAIBONG DIVISION
MAIBONG
DIST.- DIMA HASAO
ASSAM
PIN- 788831

10:THE ASSTT. EXECUTIVE ENGINEER
P.W.D. (R AND B)
MAIBONG SUB-DIVISION
MAIBONG
DIST.- DIMA HASAO
ASSAM
PIN- 788831

11:THE TREASURY OFFICER
HAFLONG
DIST.- DIMA HASAO
ASSAM
PIN- 78881

Advocate for the Petitioner : MR. JUNM LASKAR

Advocate for the Respondent : SC, N C HILLS

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

05.06.2023

While issuing notice of motion, this court under its order dated 24.02.2023 directed the counsel for the respondents to obtain instruction as to why the petitioner has not been paid salary with effect from 01.11.2015. Though notice was made returnable on 27.03.2023, however, matter is listed today for the first time since such notice was issued.

Registry will verify and submit a report why the matter was not listed even after fixed date was given.

The learned counsel for the respondent Nos. 2,3 and 4 submits that Public Works Department is a transferred subject and therefore the respondent No. 2 shall have no role in non-payment of salary. It is also contended that the Finance and PWD department have also no role. The learned counsel for the respondent Nos. 5 to 10 seeks an adjournment and without there being any instruction in terms of the aforesaid direction of court. The adjournment is sought on the ground that learned standing counsel Mr. RM Das is not available. Though this court is not inclined to adjourn in absence of any instruction, however, as Mr. RM Das is not available, matter stands adjourned. However, by the next date the instruction as directed by this court under its order dated 24.02.2023 be furnished by the learned standing counsel NC Hills Council. If no such instruction is made available, this court may consider direction of personal appearance of the respondent No. 9.

List on 22.06.2023.

JUDGE

Comparing Assistant