

GAHC010050262024



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

Case No. : Cont.Cas(C)/135/2024

RUPJOUTEY DAS @ RUPJYOTI DAS BHUYAN
W/O SRI KHANINDRA NATH BHUYAN, R/O VILL- DAHATI, P.O. AND DIST-
BARPETA, ASSAM, PIN-781301

VERSUS

NIRAJ VERMA AND 5 ORS.
THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM, HOME
AND POLITICAL DEPARTMENT, DISPUR, GUWAHATI-6

2:PARTHA PRATIM MAZUMDAR
IAS
THE SECRETARY TO THE GOVT. OF ASSAM
POLITICAL (B) DEPARTMENT
DISPUR
GUWAHATI-6

3:ROBI KOTA
THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-6

4:BANDANA BHUYAN
THE MEMBER
FOREIGNERS TRIBUNAL-II
BARPETA
DIST- BARPETA
ASSAM
PIN-781301

5:DR. B KALYAN CHAKRAVARTHY

THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM
HOME AND POLITICAL DEPARTMENT
DISPUR
GUWAHATI-6.

6:SHRI BISWAJIT PEGU
THE SECRETARY TO THE GOVERNMENT OF ASSAM
POLITICAL (B) DEPARTMENT
DISPUR
GUWAHATI-6

Advocate for the Petitioner : MR. I H SAIKIA, MR. M R CHOUDHURY,MS L HMAR,MR. B BORAH,MR. K KALITA

Advocate for the Respondent : MR. D NATH, SR. GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

23.05.2025

Heard Mr. I.H. Saikia, learned counsel for the petitioner. Also heard Mr. D Nath, learned counsel for the respondent No. 6

Mr. Nath submits that the affidavit has been filed enclosing the Finance Department communication dated 16.09.2021. By the said communication, the Finance department is intimated the various departmental Commissioners and Secretaries that new proposals submitted by any departments after this communication for grant of minimum pay scale to Muster Roll/Work Charged/Casual and other workers who are appointed prior to AFRBM period will not be considered.

Notice in the matter was issued as far back as 13.03.2024.

Office Note reflects that steps have been taken on all the respondents,

however, there is no endorsement whether steps on respondents No. 3, who was the Principal Secretary to the Government of Assam, Finance Department at the relevant point in time have been served.

Mr. R. Borpujari, learned counsel who is the Standing Counsel for Finance Department being available in the Court, the Court has requested Mr. Borpujari to obtain the required instructions in the matter.

Further Mr. Borpujari from his information submits that the respondent No. 3 is no longer the Principal Secretary, Government of Assam, Finance Department. If that be so petitioner is permitted to take necessary steps to implead the present incumbent of the Finance Department, if so advised.

List after three weeks.

Names of all counsel including Mr R Borpujai and Mr. D Nath be reflected in the cause list by the Registry.

JUDGE

Comparing Assistant