

GAHC010064382026



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

Case No. : WP(C)/1854/2026

MUNIA KUMARI BASFAR @ RITA BASFAR
D/O LATE-TOTA BASFORE, R/O RAILWAY QUARTER NO.4 STATION ROAD,
NEAR KALI MANDIR, AMBARI RAILWAY COLONY, GUWAHATI DISTRICT -
KAMRUP METRO PIN- 781001

VERSUS

THE UNION OF INDIA AND 6 ORS
REPRESENTED BY SECRETARY AND DIRECTOR GENERAL OF POSTAL
DEPARTMENT, MINISTRY OF COMMUNICATION, DAK BHAWAN,
SANGSAD MARG, NEW DELHI, PIN-110001.

2:THE CHIEF POST MASTER GENERAL
ASSAM CIRCLE
GUWAHATI- 781001

3:THE ASSISTANT POST MASTER GENERAL OFFICE OF THE CHIEF POST
MASTER GENERAL
ASSAM CIRCLE
GUWAHATI- 781001.

4:THE DIRECTOR OF POSTAL SERVICE
OFFICE OF THE CPMG
ASSAM CIRCLE
MEGHDOOT BHAWAN. GUWAHATI-781001

5:THE SUPERVISOR
HRO MAILS, RMS GH DIVISION
GUWAHATI-781001

6:THE SUPERINTENDENT RMS GH DIVISION
ASSAM, GUWAHATI- 781001

7:THE DIRECTOR OF ACCOUNTS (P)
GUWAHATI
ARTFED BUILDING REHABARI
GUWAHATI-78100

For the appellant/petitioner(s) : Mr. G. Uddin, Advocate
Mr. Y. Sikdar, Advocate

For the Respondent(s) : Mr. S.K. Medhi, CGC

- B E F O R E -

**HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR
HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY**

31.03.2026

(AshutoshKumar, CJ)

We have heard Mr. G. Uddin, learned Advocate for the petitioner, and Mr. S. K. Medhi, learned Central Government Counsel, representing the respondents/Union of India.

The petitioner is a widow, who has been working as a daily wage sweeper/cleaner in the Postal Department's HRO (Male) office, RMS "GH" Division, Guwahati, since 01.01.2006. For the last 20 years, she has been cleaning the office every day and as yet her job has not even been made temporary or part-time. She was initially paid only Rs. 200/- per day, which is clearly below the government's minimum pay structure. Over the years, she kept writing letters, asking the department to either make her a full-time employee or give her the minimum wages and also to give her the benefits, which other regular employees get.

In the year 2019, the records reveal, the department issued a letter confirming that she had been working continuously since 2006. From the

year 2023, it further appears, she has been getting Rs. 300/- per day for 7 hours a day, but she was never considered for being given any regular appointment, or any job security.

Being aggrieved, thus, she approached the Central Administrative Tribunal, Guwahati Bench (hereinafter referred to as "Tribunal") by filing an original application only in the year 2024, with many prayers but one, in the alternative, for a direction to pay her the minimum wages.

During the pendency of the original application referred to above, her working hours were reduced from 7 hours to 5 hours a day and she started getting daily allowances @ Rs. 392.50 per day, from February, 2024.

The contention of the department before the Tribunal was that the petitioner is a casual daily wage worker engaged for 5 hours a day and, therefore, she could not have staked her claim to become a permanent employee. The petitioner, for her part, relied on the judgment of the Hon'ble Supreme Court in **Jaggo vs. Union of India: (2024) SC (online) 12494**, to argue that she was treated most unfairly by the department, for, she was not given even the minimum wages for the works she actually did or has been doing.

However, the Tribunal dismissed the application of the petitioner for want of sufficient proof of continuous service, thus, holding her to be not entitled for regularization.

The petitioner apprehends that she would be thrown out of the job for her having approached the Tribunal for getting the minimum wages.

Mr. Medhi, learned Central Government Counsel submits that he shall take instructions in the matter as to why the petitioner be not paid

the minimum wages for the reason that she has been working since 2006 continuously, which fact stands admitted by the department.

Let an affidavit on behalf of the respondents be filed by the next date.

Re-notify on **05.06.2026**.

In the meanwhile, it is expected that the petitioner shall not be thrown out of her engagement.

JUDGE

CHIEF JUSTICE

Comparing Assistant