

GAHC010068392025



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

Case No. : WP(C)/1834/2025

SMTI SANTANA SARMA AND 8 ORS.
W/O.- SRI BHASKAR JYOTI NATH, R/O.- GANESH PATH, HOUSE NO. 17,
HATIGAON, GUWAHATI, KAMRUP (M), ASSAM - 781038.

2: JUGAL GAM
S/O.- NANDA NATH GAM
R/O.- CHETIA GAON
WARD NO. 5
NORTH LAKHIMPUR
DISTRICT - LAKHIMPUR
ASSAM -787001.

3: SMTI SUPRIYA DAS
W/O.- BHASKAR JYOTI NATH
R/O.- LOTHABORI
WARD NO. 1
NEAR B.ED COLLEGE
MORIGAON
ASSAM -782105.

4: SMTI KAKOLI DUTTA
W/O.- SRI SONKUL PLABAN BARUAH
R/O.- CHABUA
DIBRUGARH
ASSAM - 786184.

5: SHYAM PRASAD BARUAH
S/O LATE MANINDRA PRASAD BARUAH
R/O- RAJADUAR
NORTH GUWAHATI
KAMRUP
ASSAM - 781030.

6: SMTI SWAGOTA DUTTA

W/O.- SRI GAURAV MAHANTA
R/O- C/O. PURNIMA BORDOLOI
HOUSE NO. 19 AND 20
ULUBARI
GUWAHATI
KAMRUP (M)
ASSAM - 781007.

7: SMTI UJWALA BARUAH
W/O.- NUPUR GOHAIN
R/O - C/O SUBHASH CHANDRA GOHAIN
GONDHIA (BORCHAPORI)
VILLAGE - PANITOLA
DISTRICT - TINSUKIA
ASSAM - 786183.

8: SMTI NABANITA DAS
S/O SRI KRIPAL JYOTI MAZUMDAR
R/O.- HOUSE NO. 6
CHANDAN NAGAR
TRIBENI PATH
SIX MILE
GUWAHATI
KAMRUP (M)
ASSAM - 781022.

9: IMDADUL ISLAM KHAN
S/O LATE ABDUR RAHMAN KHAN
R/O.- GANDHI NAGAR
P.O. BARPETA
DISTRICT - BARPETA
ASSAM - 781301

VERSUS

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

2:THE JOINT SECRETARY
TO THE GOVERNMENT OF ASSAM
HEALTH AND FAMILY WELFARE (A) DEPARTMENT
DISPUR
GUWAHATI - 781006.

3:THE DIRECTOR OF HEALTH SERVICES
ASSAM

HENGERABARI
GUWAHATI - 781036

Advocate for the Petitioner : MR B D DAS, MR H K SARMA,MR D KALITA,MR. H R DAS,MR J LLOTHA

Advocate for the Respondent : SC, HEALTH AND F W,

BEFORE
HON'BLE MR. JUSTICE KARDAK ETE

O R D E R

Date : 10.04.2025.

Heard Mr. B.D. Das, learned Senior Counsel assisted by Mr. RD. Kalita, learned counsel for the petitioners. Also heard Mr. D.P. Borah, learned Standing Counsel for the Health & Family Welfare Department.

Aggrieved by the letter dated 18.03.2025, issued to the District Commissioners and all other authorities by the Joint Secretary to the Govt. of Assam, Health & Family Welfare Department, whereby the tenures of the employees working under the Regulation 3(f) has been discontinued, the writ petitioners have filed this present petition.

Issue notice to the respondents, returnable in three (3) weeks.

Since Mr. D.P. Borah, learned Standing Counsel for the Health & Family Welfare Department enters appearance and accepts notice on behalf of all the respondents, no formal notice need to be served. However, requisite extra copies be furnished to the learned Standing Counsel.

In the interim, considering that the petitioners are continuing as District

Malaria Officer, although there is no specific extension order of their services, it is provided that the respondent authorities may consider the extension/regularization of their services as well as payment of salary, taking into account the recommendation of the Department Promotion Committee as well as the letter of the Director of Health Services, Assam.

List the matter after three (3) weeks.

JUDGE

Comparing Assistant