

GAHC010088242026



2026:GAU-AS:6351

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

Case No. : WP(C)/2408/2026

PRAMOD KAKATI AND ORS
S/O-LATE THULAI KAKATI
A RESIDENT OF VILL-DEWRI GAON
P.O-DEWRI GAON, P.S-NAGAON SADAR, DIST-NAGAON (ASSAM)
PIN-782144

2: RIDIP DEWRI
S/O-LATE PUSPENDRA DEWRI
A RESIDENT OF VILL -LATHABORI
P.O- HATICHUNG
P.S-RAHA
DIST-NAGAON
ASSAM
PIN-782142

3: SARAT CHANDRA BORA
S/O-LATE GOLOK CHANDRA BORA
A RESIDENT OF VILL -KALONGPAR HALOWA GAON
P.O- KALONGPAR HALOWA GAON
P.S-RUPOHIHAT
DIST-NAGAON
ASSAM
PIN-782141

4: ARPANA SAIKIA
W/O-PADMA KANTA SAIKIA
A RESIDENT OF VILL -KALONGPAR HALOWA GAON
P.O- KALONGPAR HALOWA GAON
P.S-RUPOHIHAT
DIST-NAGAON
ASSAM
PIN-782141

5: KUNDAN BASFOR

S/O-LATE CHANARDIP BASFOR
A RESIDENT OF VILL -SAMAGURI BAZAR
P.O- SAMAGURI
P.S-SAMAGURI
DIST-NAGAON
ASSAM
PIN-782140

6: PADUM SAIKIA
S/O-SANTI RAM SAIKIA
A RESIDENT OF VILL -MAKHANGAON
P.O- BORPANI
P.S-KACHUA
DIST-NAGAON
ASSAM

7: DIPTI MUKTIAR
S/O-MATUL MUKTIAR
A RESIDENT OF VILL -NH
37 TAMPUL
P.O- NIZ BHELOGURI
P.S-SAMAGURI
DIST-NAGAON
(ASSAM)

8: JALAL UDDIN

S/O-RAHMAT ALI
A RESIDENT OF VILL -KHOLIHAMARI
P.O- SIBASTHAN
P.S-SAMAGURI
DIST-NAGAON
ASSAM

9: BINITA KAKATI
D/O-THULAI KAKATI
A RESIDENT OF VILL -DEWRIGAON
P.O- DEWRIGAON
P.S-NAGAON
SADAR
DIST-NAGAON
ASSAM

10: AMARJYOTI GOGOI
S/O-BHUGESHWAR GOGOI
A RESIDENT OF VILL -CHAPANALA
P.O- CHAPANALA
P.S-SAMAGURI

DIST-NAGAON
ASSAM

11: ABDUR RASHID
S/O-MD. SURUJ ALI
A RESIDENT OF VILL -NO.2 BHATIAKHALI
P.O- KATHPARA
P.S-RUPOHIHAT
DIST-NAGAON
ASSAM
PIN-782120

12: SUMAN BASFOR
S/O-LATE RAJKUMAR BASFOR
A RESIDENT OF VILL -JURIA THIOTANGONI
P.O- JURIA
P.S-RUPOHIHAT
DIST-NAGAON
ASSAM

13: HIBJUR RAHMAN
S/O-JABED ALI
A RESIDENT OF VILL -JENGONI
P.O- JENGONI
P.S-DHING
DIST-NAGAON
(ASSAM

14: PADMA BORAH
S/O-SOMESWAR BORAH
A RESIDENT OF VILL -MAJ-JAJORI
P.O-MAJGAON
P.S-JAJORI
DIST-NAGAON
ASSAM
PIN-782142

15: MAMONI MECH
D/O-TANKESHAR MECH
A RESIDENT OF VILL -BORKONDOLI (KACHUBASTI)
P.O- NIBUKALI
P.S-NAGAON SADAR
DIST-NAGAON
ASSAM

16: JAYEDA BEGUM
W/O-OHED ALI
A RESIDENT OF VILL -SIALMARI ITACHALI

P.O- DAKAGHAT
P.S-NAGAON SADAR
DIST-NAGAON
ASSAM

17: RAMESH BASFAR
S/O-JAGADISH BASFOR
A RESIDENT OF VILL -NH
37
NEAR SAMAGURI
ASEB COLONY
SAMAGURI
HAHSARA
BORALIGAON
P.O- SAMAGURI
P.S-SAMAGURI
DIST-NAGAON
ASSAM

18: GIRIKANTA BORAH
S/O-PUNIRAM BORAH
A RESIDENT OF VILL -KARAIYONI MAJORATI
P.O- POLASHANI
P.S-NAGAON SADAR
DIST-NAGAON
ASSAM

19: SABITA RABHA KAKATI
D/O-SARAT RABHA
W/O-BALIN KAKATI
A RESIDENT OF VILL -BAMUNGAON
P.O- KACHAMARI
P.S-NAGAON SADAR
DIST-NAGAON
ASSAM

20: SHARIFA AHMED
D/O-NABI HUSSAIN
A RESIDENT OF VILL -DAKHIN KALADUBA
P.O- JENGONI
P.S-JURIA
DIST-NAGAON
ASSAM

21: AJAY BASFOR
S/O-MAHESH BASFOR
A RESIDENT OF VILL -NAGAON HARIJAN COLONY (RAMKRISHNA PATH)
P.O- NAGAON

P.S-NAGAON SADAR
DIST-NAGAON
ASSAM

22: SUBAL SUTRADHAR
S/O-SRIBASH SUTRADHAR
A RESIDENT OF VILL -MAKHANGAON
P.O- BORPANI
P.S-KACHUA
DIST-NAGAON
ASSAM
PIN-782450

23: BURHAN UDDIN
S/O-RAJAB ALI
A RESIDENT OF VILL -MOHKHULI
P.O- MOHKHULI
P.S-NAGAON SADAR
DIST-NAGAON
ASSAM

24: PUSHPANJALI DAS (GARH)

W/O-RUBUL GARH
A RESIDENT OF VILL -SHILPHATA NAHARBARI
P.O- NIBUKALI
P.S-NAGAON SADAR
DIST-NAGAON
ASSAM

25: SAIDUL ALI
S/O-ABDUS SUBAN
A RESIDENT OF VILL -NO. 6 BHOGAMUKH
P.O- BHOGAMUKH
P.S-LAOKHUWA CHAPORI
DIST-NAGAON
ASSAM

26: GUPINATH TANTY
S/O-DIRESH TANTI
A RESIDENT OF VILL -SECONEE TEA ESTATE
P.O- JAKHALABANDHA
P.S-JAKHALABANDA
DIST-NAGAON
ASSAM
PIN-782136

27: DHUBA DUTTA

S/O-AMAL DUTTA
A RESIDENT OF VILL - KACHAMARI
P.O-KACHAMARI
P.S-NAGAON SADAR
DIST-NAGAON
ASSAM
PIN-782001

28: NIZAM UDDIN
S/O-AZIZUL HAQUE
A RESIDENT OF VILL -SARU PATHER
P.O- RENG BENG
P.S-JAMUNAMUKH
DIST-HOJAI
ASSAM
PIN-782427

29: MUNINDRA DEKA
S/O-LATE HITLAR DEKA
A RESIDENT OF VILL -MAJGAON
P.O- MAJGAON
P.S-JAJORI
DIST-NAGAON
ASSAM

30: MARAMI DEVI
W/O- CHUKLESWAR NATH
A RESIDENT OF VILL -BAMUNGAON
P.O- KACHAMARI
P.S-NAGAON SADAR
DIST-NAGAON
ASSAM

31: SIBA KANTA NATH
S/O- HEMENDRA NATH NATH
A RESIDENT OF VILL -BAMUNGAON (HATICHUNG)
P.O- KACHAMARI
P.S-NAGAON SADAR
DIST-NAGAON
ASSAM

32: SEKHAR BASFOR
S/O- DUL DUL BASFOR
A RESIDENT OF VILL -JURIA KADOMONI TOWN
P.O- JURIA
P.S-JURIA
DIST-NAGAON
ASSAM

33: RAJEN BORUAH
S/O- LATE THOGIRAM BORUAH
A RESIDENT OF VILL -RAIDONGIA BHATIKHANDA
P.O- AIBHETI
P.S-JAJORI
DIST-NAGAON
ASSAM

34: RAJ KUMAR DAS
S/O- DHANI RAM DAS
A RESIDENT OF VILL -KURABAHI (GHAHARIAL GAON)
P.O- TULSHIMUKH
P.S-NAGAON SADAR
DIST-NAGAON
ASSAM

35: JOYA TANTABAI
D/O- LATE LALIT TANTABAI
A RESIDENT OF VILL -NIZ KALIABOR (MIRIBHETI)
P.O- JAKHALABANDHA
P.S-JAKHALABANDHA
DIST-NAGAON
ASSAM

36: ANUWAR HUSSAIN
S/O- JAMSHED ALI
A RESIDENT OF VILL -DAGAON
P.O- DAGAON
P.S-JURIA
DIST-NAGAON
ASSAM

37: MUNIA CHAUHAN
D/O- HARI PRASAD CHAUHAN
A RESIDENT OF VILL -JAKHALABANDHA DHAKHINPAT
P.O- JAKHALABANDHA
P.S- JAKHALABANDHA
DIST-NAGAON
ASSAM
PIN-782136

38: ASMINA KHATUN
D/O- ASOR ALI
A RESIDENT OF VILL -NO. 6 BHOGAMUKH
P.O- KANCHANPUR
P.S- LAOKHOWA CHAPORI
DIST-NAGAON

ASSAM
PIN-782125

39: SHAJIDA KHATUN
W/O- JAMANUR RAHMAN
A RESIDENT OF VILL -JARAMARI
P.O- BALISATRA
P.S- DHING
DIST-NAGAON
ASSAM
PIN-782122

VERSUS

THE STATE OF ASSAM AND ORS
TO BE REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, HEALTH AND FAMILY WELFARE
DEPARTMENT, DISPUR, GUWAHATI 6

2:THE DIRECTOR
HEALTH SERVICE DEPARTMENT
HENGARABARI
GUWHATI-19

3:THE JOINT DIRECTOR OF HEALTH SERVICES
NAGAON
DISTRICT NAGAON
ASSAM

4:THE SUPERINTENDENT CUM- MEMBER SECRETARY OF BURAGOHAIN
THAN BPHC
DEWRIGAON
DIST-NAGAON

5:THE SUPERINTENDENT CUM MEMBER SECRETARY
OF SAMAGURI BPHC
SAMAGURI
DIST NAGAON
ASSAM

6:THE SUPERINTENDENT CUM MEMBER SECRETARY
OF SINGIMARI STATE DISPENSARY
SINGIMARI SD
P.O BORPANI
DIST NAGAON
ASSAM

7:THE SUPRITENDENT CUM MEMBER SECRETARY

OF KATHIATOLI BPHC
KALIABOR
DIST NAGAON
ASSAM

8:THE SUPERINTENDENT CUM MEMBER SECRETARY
SINGIMARI BLOCK PHC
DIST NAGAON
ASSAM

9:THE SUPERINTENDENT CUM MEMBER SECRETARY
OF RUPOHI MODEL HOSPITAL
RUPOHI
DIST NAGAON
ASSAM

10:THE SUPERINTENDENT CUM MEMBER SECRETARY
OF DAGAON BPHC
DAGAON. DIST NAGAON
ASSAM

11:THE SUPERINTENDENT CUM MEMBER SECRETARY
OF KONDOLI MODEL HOSPITAL
KONDOLI
DIST NAGAON
ASSAM

12:THE SUPRITENDENT CUM MEMBER SECRETARY
OF B.P. CIVIL HOSPITAL
NAGAON
DIST NAGAON ASSAM

13:THE SUPERINTENDENT CUM MEMBER SECRETARY
OF JAKHALABANDHA BLOCK PHC
JAKHALABANDHA
DIST NAGAON
ASSA

Advocate for the Petitioner : MR. M A I HUSSAIN, MD. S ALOM,N ISLAM

Advocate for the Respondent : SC, HEALTH,

**BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

ORDER

Date : 08.05.2026

Heard Mr. M. A. I. Hussain, learned counsel, appearing for the petitioners. Also heard Ms. D. Bora, learned Standing Counsel, Health & Family Welfare Department.

2. The petitioners at the outset has submitted that they were engaged as casual workers by the respective Hospital Management Committee/Society, functioning under the Health Department.

3. The petitioners submits that since the date of their initial engagement which had occasioned during the period between 2007 to 2013, the petitioners have completed more than 10 (ten) years of service and accordingly, they are entitled for regularization of their services and/or for payment of their wages at the minimum scale of pay of the regular post of worker they are so performing.

4. By producing a copy of the judgment and order dated 10-11-2022, passed by the learned Single Judge in W.P.(C) No.7711/2016, Mr. M. A. I. Hussain, submits that prayers of similarly situated casual workers engaged by the Hospital Management Committees have been accepted by this Court and orders have already been passed for extending the benefit of minimum pay scale. Therefore, this writ petition be also disposed of in the line of the

direction contained in the judgment and order dated 10-11-2022.

5. Ms. D. Bora, learned Standing Counsel, Health & Family Welfare Department, Assam, submits that if the petitioners had actually been engaged by the Hospital Management Committees then in that case, it is correct that their cases would be covered by the Judgment and Order dated 10-11-2022. However, they have to submit their applications with supporting documents before the respective Hospital Management Committees/ Societies for doing the needful.

6. After going through the Judgment and Order dated 10-11-2022, I find that it was also a case, wherein similarly situated employees engaged by the Hospital Management Committee had approached this Court by filing W.P.(C) No.7711/2016, which was disposed of by the learned Single Judge with the following directions:

"23. As it appears, most of the petitioners have been engaged by the Hospital Management Society and not by the State Government, and only 5 out of the 29 writ petitioners are being given fixed wages. Accordingly, this Court is of the view that the concerned Hospital Management Committee/State respondents will have to consider the giving of minimum scale of pay to the petitioners, provided they are still working in the two Hospitals and are entitled to the same. Consequently, the petitioners are given the liberty to submit individual representations to the Superintendent of the two Hospitals, with regard to their claim for payment of the minimum scale of pay. The concerned Superintendent,

being the Member Secretary of the concerned Hospital Management Committee, shall thereafter place the same before the appointing authority, who shall thereafter consider the case of the petitioners, with regard to payment of the minimum scale of pay and make due payment, if they are entitled to the same. The petitioners should submit their individual representations within three weeks from today. Thereafter, the decision/s on the petitioners' representations should be made within a further period of 3 (three) months from the date of receipt of a certified copy of this order and the petitioners' representations."

7. In view of the stand taken by the learned counsel for both the parties, I am of the opinion that this matter can be disposed of in terms of the order dated 10-11-2022, subject to the condition that the petitioners would file individual applications, with supporting documents, before the concerned authorities within a period of 06 (six) weeks from today along with a certified copy of this order, for doing the needful.

8. On receipt of such applications, the concerned authorities to consider the same in the light of the observation made by the Judgment and Order dated 10-11-2022 within 03 (three) months thereafter.

9. With the above observation, this writ petition stands disposed of.

JUDGE

Comparing Assistant