

GAHC010147292025



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

Case No. : WP(C)/3868/2025

SRI ROBIN BEY AND 31 ORS.

S/O LATE SARDER BEY VILL-- HANBUKA P.O-- LORENTHEPI P.S-
HOWRAGHAT DIST- KARBI ANGLONG

2: SRI LONKI TERANG

SRI KANIA TERANG P.O- LORENTHEPI DIST- KARBI ANGLONG

3: SRI HOREN TIMUNG

S/O KANIA TIMUNG VILL--SARTHE RONGPHAR P.O--PHULONI DIST--
KARBI ANGLONG

4: SRI AMLONG BEY

S/O JILOT BEY P.O.- MOHINI RONGPI DIST- KARBI ANGLONG

5: SRI KHORSING TERANG

S/O MUNSAI TERANG VILL- LONG TERANG GAON P.O.- HOWRAGHAT.
DIST- KARBI ANGLONG.

6: SRI HAREN TERANG

S/O SARTHE TERANG VILL--KONGJUKATHOI P.O- BAKALIA DIST--KARBI
ANGLONG.

7: SRI HEMARI TERON

S/O SRI SARSING TERON VILL--KASONARI P.O--BAKALIA DIST--KARBI
ANGLONG.

8: SRI LALSING PHANGCHO

S/O SING PHANGCHO PO-- BAKALIA DIST-- KARBI ANGLONG

9: SRI LOZENDRA BASUMATARY

S/O SRI NABIN BASUMATARY VILL- GODABARI P.O -- DOKMOKA DIST--
KARBI ANGLONG

10: SRI CHANDRA SING TERON

S/O SRI MARAK TERON VILL--PLONGKRO GAON P.O--DENTAGHAT DIST--
KARBI ANGLONG

11: SRI CHANDRA SING PHANGCHO
S/O LATE JANG PHANGCHO VILL--AMPUKHURI P.O--DOKMOKA DIST-
KARBI ANGLONG

12: SRI BORSING TIMUNG
S/O SAILAN TIMUNG VILL- RONGKHELAN P.O- DENGAON DIST- KARBI
ANGLONG

13: SRI BON SANGNA
S/O. LATE NIBESH MARAK VILL--BORPUKHURI P.O-- DOKMOKA DIST--
KARBI ANGLONG

14: SRI DEORI RONGPI
S/O SRI SARTHE RONGPI VILL--PORTON RONGPI GAON P.O.-DENGAON
DIST--KARBI ANGLONG.

15: SRI CHANDRASING TISSO
S/O LATE NIHANG TISSO VILL--PARAKHOWA. P.O--DEN-TERON GAON.
DIST--KARBI ANGLONG.

16: SRI MENSING HANSE
S/O SRI BANGKRI HANSE VILL--MISTRIBALI RONGPI GAON. P.O-
PANDITGHAT DIST--KARBI ANGLONG.

17: SRI SAMSING TERON
S/O LATE JAGANNATH TERON VILL- - KANGNEK TOKBI GAON P.O-
OKRENG DIST- - KARBI ANGLONG

18: SRI JOYSING RONGCHEHON
S/O- LATE SARTHE RONGCHEHON VILL-- KICHU TARO P.O- BAGHPANI
DIST-- KARBI ANGLONG

19: SRI RAJEN HANSE
S/O SRI MOHIRAN HANSE VILL--BURA-TISSO GAON. P.O-DENTAGHAT.
DIST--KARBI ANGLONG

20: SRI SAR TERON
S/O LATE TAON TERON VILL -- PARAKHOWA DIST-- KARBI ANGLONG

21: SRI DHARAMSING KRAMSA
S/O SRI MEN KRAMSA VILL--JAIPONG LEKHON BEY P.O--LANGHIN
TINIALI DIST--KARBI ANGLONG

22: SRI MONDEY RAM RONGPHAR
) S/O SRI RONGPHAR VILL--DINSO TERANG GAON P.O--DOKMOKA DIST--

KARBI ANGLONG

23: SRI MOHIRAM RONGPI

S/O SRI SARTHE RONGPI VILL--SARTHE RONGPI SILDHARANPUR P.O--
DOKMOKA DIST--KARBI ANGLONG

24: SRI NIHAR TERANG

S/O LATE SIKARI TERANG VILL--KATGAON P.O-- KATGAON DIST- KARBI
ANGLONG

25: SRI CHANDRASING TISSO

S/O SRI LONKI TISSO VILL--LOHKI TISSO-GAON P.O--KAT GAON DIST--
KARBI ANGLONG

26: SRI BORSING RONGPI

S/O- KANIA RONGPI VILL--PARKUP-PAHAR P.O--PARKUP-PAHAR
DIST--KARBI ANGLONG

27: DEBENDRA TARO

S/O THABASING TARO VILL- SIKARIGATE LALTHINPURIN TAROGAON
PO-- BOKOLIAGHAT DIST- KARBI ANGLONG

28: SRI DHANIRAM TERON

S/O LT LONGKAM TERON VILL- TETELIGURI
KANIA BEY GAON P.O- TELELIGURI DIST- KARBI ANGLONG

29: AMARSINGH SINGNAR

S/O- LATE PANDIT SINGNAR VILL- KISTRI BALI P.O- PANDIT GHAT DIST-
KARBI ANGLONG

30: SRI MAHESWAR BEY

S/O-BELOK BEY VILL-LANGERDANG
TARABASA
TARO GAON P.S--LORINGTHEPI DIST--KARBI ANGLONG

31: SRI RANJIT TIMUNG

S/O- KRUANG TIMUNG R/O- PAROKHUWA
P.S.- DOKMOKA DIST- KARBI ANGLONG

32: SRI ARUN ENGTI

S/O- LORGSING ENGTI VILL- ERDANG ENGTI GAON PAROKHUWA P.O-
DOKMOKA DIST- KARBI ANGLONG

ALL THE ABOVE EMPLOYEES ARE WORKING AS WORK CHARGE
KHALASI OF PUBLIC HEALTH ENGINEERING DEPARTMENT
(RURAL) HOWRAGHAT DIVISION
PO AND PS-HOWRAGHAT
UNDER EXECUTIVE ENGINEER

DIPHU
AND PHE (R)
DIST. KARBI ANGLONG

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REPRESENTED BY SECRETARY, GOVT. OF ASSAM COMMISSIONER

2:CHIEF ENGINEER

PUBLIC HEALTH ENGINEERING DEPARTMENT
HENGRABARI

3:EXECUTIVE ENGINEER
PUBLIC HEALTH ENGINEERING HOWRAGHAT (R) DEPARTMENT

4:PRINCIPAL SECRETARY

GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
DISPUR THE PRINCIPAL SECRETARY

5:THE PRINCIPAL SECRETARY

KARBI ANGLONG
HILLS AUTONOMOUS DISTRICT COUNCIL

6:ACCOUNTANT GENERAL

ASSAM
I AND E
MAIDAMGAON
BELTOLA
GUWAHATI- 29

7:THE SECRETARY TO THE GOVERNMENT OF ASSAM
PENSION AND PUBLIC GRIEVANCES DEPARTMENT ASSAM
SACHIVALAYA
DISPUR
GUWAHATI-

Advocate for the Petitioner : MR B SARMAH, K GURUNG,MR G PATHAK

Advocate for the Respondent : GA, ASSAM, SC, AG,SC, FINANCE,SC, P H E,SC, K A A C

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

31.03.2026

Heard Mr. B Sarmah, learned counsel for the petitioners. Also heard Ms. S Baruah, learned Government Advocate, Assam, Mr. C Boruah, learned Standing Counsel, Accountant General (A&E), Mr. I Borthakur, learned Standing Counsel, PHE Department, Ms. S Kemprai, learned Standing Counsel, KAAC and Ms. M Das, learned counsel appearing on behalf of Mr. SK Medhi, learned Standing Counsel, Accountant General (A&E) in WP(C) No.3855/2025.

The claim of the petitioners are that they have been rendering their services as Work Charged employee /Muster Roll Workers (Khalasi) under the Department of Public Health Engineering and their appointments are against the sanctioned posts. Their claims for regularisation were considered by the Department and put up for regularisation of their services. However, no specific orders have been passed as on date. Learned counsel for the petitioners submits that the petitioners are still serving in the posts and therefore, their services ought to be regularised and the benefits of regular service, including pension, should be conferred on them.

Learned Standing Counsel, PHE Department, on the other hand, objects to

these prayers made. It is submitted that the matter stands covered by the judgments rendered in *State of Assam vs. Upen Das & Ors.* reported in 2020 (5) GLT 605, which was followed in several judgments and orders passed by this Court, including WP(C) No.6582/2023 passed by this Court on 20.06.2024. He, however, submits that he would like to bring his instructions on record by way of an affidavit.

On the contrary, Mr. Sharma, learned counsel for the petitioners, submits that the judgement rendered in *Upen Das* (supra) is not applicable as the findings in *Upen Das* (supra) are in respect of persons who are claiming regularisation and who have rendered services 'not in sanctioned posts'. The petitioners have been rendering their services in sanctioned posts. Therefore, the conclusions arrived at by the Division Bench in *Upen Das* (supra) are not applicable in the case of the writ petitioners and their cases are to be considered independently and appropriate orders are required to be passed.

In view of the submissions made, the respondents are permitted to file their affidavit within 2 (two) weeks.

List these matters after 2 (two) weeks.

JUDGE

Comparing Assistant