

GAHC010196612025



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

Case No. : I.A.(Civil)/2877/2025

SRI JUGAL GAM AND 8 ORS
S/O NANDA NATH GAM R/O CHETIA GAON, WARD NO. 5, NORTH
LAKHIMPUR, DISTRICT - LAKHIMPUR, ASSAM - 787001.

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

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

4: 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.

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

6: SMTI SUPRIYA DAS
W/O BHASKAR JYOTI NATH R/O LOTHABORI

WARD NO. 1
NEAR B.ED COLLEGE
MORIGAON
ASSAM - 782105.

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

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

9: 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

VERSUS

THE STATE OF ASSAM AND 11 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.

4:THE JOINT DIRECTOR OF HEALTH SERVICES
NAGAON
A.T. ROAD
HAIBARGAON
DISTRICT - NAGAON

ASSAM - 782001.

5:THE JOINT DIRECTOR OF HEALTH SERVICES
SIVSAGAR
DOL MUKHI CHARIALI
DISTRICT - SIVSAGAR ASSAM - 785640.

6:THE JOINT DIRECTOR OF HEALTH SERVICES
TINSUKIA
G.N.B. ROAD
DISTRICT - TINSUKIA ASSAM - 786125.

7:THE JOINT DIRECTOR OF HEALTH SERVICES
NALBARI
NEAR SMK HOSPITAL
DISTRICT - NALBARI ASSAM - 781335.

8:THE JOINT DIRECTOR OF HEALTH SERVICES
DHUBRI
A.K. AZAD ROAD
DISTRICT - DHUBRI
ASSAM - 783301.

9:THE JOINT DIRECTOR OF HEALTH SERVICES
DARRANG
DISTRICT - DARRANG
ASSAM - 784125.

10:THE JOINT DIRECTOR OF HEALTH SERVICES
BONGAIGAON
NEAR OLD CIVIL HOSPITAL
DISTRICT - BONGAIGAON
ASSAM - 783380.

11:THE JOINT DIRECTOR OF HEALTH SERVICES
SONITPUR
NEAR TEZPUR COLLEGE
DISTRICT - SONITPUR ASSAM - 784001.

12:THE JOINT DIRECTOR OF HEALTH SERVICES
MORIGAON
KHIROD BARUA PATH
DISTRICT -MORIGAON
ASSAM - 782105

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

Advocate for the Respondent : SC, HEALTH,

Linked Case : WP(C)/1834/2025

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

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S/O.- NANDA NATH GAM
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WARD NO. 5
NORTH LAKHIMPUR
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ASSAM -787001.

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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.

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

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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 : MR B D DAS
Advocate for : SC
HEALTH AND F W appearing for THE STATE OF ASSAM AND 2 ORS.

Linked Case : I.A.(Civil)/1179/2025

SMTI SANTANA SARMA AND 8 ORS
AGED ABOUT 43 YEARS
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.

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R/O - C/O SUBHASH CHANDRA GOHAIN
GONDHIA (BORCHAPORI)
VILLAGE - PANITOLA
DISTRICT - TINSUKIA
ASSAM - 786183.

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S/O SRI KRIPAL JYOTI MAZUMDAR
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KAMRUP (M)
ASSAM - 781022.

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S/O LATE ABDUR RAHMAN KHAN
R/O.- GANDHI NAGAR
P.O. BARPETA
DISTRICT - BARPETA
ASSAM - 781301.
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HEALTH AND FAMILY WELFARE (A) DEPARTMENT
DISPUR

GUWAHATI - 781006.

3:THE DIRECTOR OF HEALTH SERVICES
ASSAM
HENGHERABARI
GUWAHATI - 781036.

Advocate for : MR B D DAS
Advocate for : SC
HEALTH appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : WP(C)/4050/2025

SRI JUGAL GAM AND 8 ORS
S/O NANDA NATH GAM R/O CHETIA GAON
WARD NO. 5
NORTH LAKHIMPUR
DISTRICT - LAKHIMPUR
ASSAM - 787001.

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S/O LATE MANINDRA PRASAD BARUAH R/O RAJADUAR
NORTH GUWAHATI
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3: SMTI SANTANA SARMA
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HOUSE NO. 17
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DISTRICT -MORIGAON

ASSAM - 782105.

Advocate for : MR B D DAS

Advocate for : SC

HEALTH appearing for THE STATE OF ASSAM AND 11 ORS

**BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

Date : --08.09.2025

Heard Mr. B.D. Das, learned Senior Counsel assisted by Mr. D. Kalita, learned counsel for the applicants and Mr. D.P. Bora, learned Standing Counsel, Health & Family Welfare Department for the opposite parties.

The applicants who are the writ petitioners in the connected writ petitions, have made primarily two prayers, firstly, to allow them to continue as District Malaria Officer; and secondly, for release of their salaries which the respondent authorities have not released since May, 2024.

Mr. Bora has sought some time for obtaining instructions.

Mr. Kalita, learned counsel for the applicants-petitioners shall furnish an extra copy each of the interlocutory applications to Mr. Bora, learned Standing Counsel, Health & Family Welfare Department by tomorrow.

List the cases on 17.09.2025.

JUDGE

Comparing Assistant