

GAHC010215082021



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

Case No. : WP(C)/7196/2021

JITUL BOR BORAH AND 16 ORS
SON OF SRI BUDHESWAR BOR BORAH, RESIDENT OF VILLAGE- NA-PAM
RONGPURIA GAON, P.O.- LILABARI, P.S.- NORTH LAKHIMPUR, DISTRICT-
LAKHIMPUR, ASSAM, PIN-787051
PRESENTLY WORKING AT DISTRICT TUBERCULOSIS CENTRE,
LAKHIMPUR

2: RAMESH BORAH
SON OF SRI GOBIN BORAH
RESIDENT OF VILLAGE- RAJKHOWA GAON
P.O.- AZAD
DISTRICT- LAKHIMPUR
ASSAM
PIN-787031
PRESENTLY WORKING AT PANIGAON SUBSIDIZED HEALTH CENTRE

3: PUSPANJALI DAS
DAUGHTER OF LATE KANURAM DAS
RESIDENT OF VILLAGE- BANTOW GAON NO.2
P.O.- DHAKUAKHANA (JOYSAGAR)
P.S.- DHAKUAKHANA
DISTRICT- LAKHIMPUR
ASSAM
PIN-787055
PRESENTLY WORKING AT BEBEJIA STATE DISPENSARY (GHILAMARA

4: JYOTIKA KAKATI
WIFE OF DILIP BARUAH
RESIDENT OF VILLAGE- TWON BANTO 24 WARD 1 NO. GHILAGORI
DISTRICT- LAKHIMPUR
ASSAM
PIN-787031
PRESENTLY WORKING AT BOGINATI BLOCK PUBLIC HEALTH CENTRE

5: PRASANTA BORAH
SON OF LATE LOKNATH BORAH
RESIDENT OF VILLAGE- CHABOTI PADUMONI
P.O.- CHABOTI
P.S.- NORTH LAKHIMPUR
DISTRICT- LAKHIMPUR
ASSAM
PIN- 787051
PRESENTLY WORKING AT DISTRICT TUBERCULOSIS CENTRE
LAKHIMPUR.

6: LAKHINDAR DOLEY
SON OF LATE PRAJAPATI DOLEY
RESIDENT OF- OLD CIVIL HOSPITAL CAMPUS
WARD NO.6
P.O.- NORTH LAKHIMPUR
DISTRICT- LAKHIMPUR
ASSAM
PIN-787001
PRESENTLY WORKING AT DISTRICT TUBERCULOSIS CENTRE
NORTH LAKHIMPUR.

7: DEBEN BORAH
SON OF SRI LATE GOLAP BORAH
RESIDENT OF VILLAGE- PACHIM LALUK
P.O.- LALUK
DISTRICT- LAKHIMPUR
ASSAM
PIN-784160
PRESENTLY WORKING AT HARMOTI DESIGNATED MICROSCOPY CENTRE.

8: PANKAJ SAVAPANDIT
SON OF LATE DWIJEN SAVAPANDIT
RESIDENT OF VILLAGE- NAKARI NAGAR
WARD NO. 3
P.O.- NORTH LAKHIMPUR
DISTRICT- LAKHIMPUR
ASSAM
PIN-787001
PRESENTLY WORKING AT DISTRICT TUBERCULOSIS CENTRE
LAKHIMPUR.

9: ABHIJIT CHUTIA
SON OF LATE JITEN CHUTIA
RESIDENT OF VILLAGE- MILAN NAGAR
WARD NO.2
P.O.- DHEMAJI
DISTRICT- DHEMAJI

ASSAM
PIN- 787057
PRESENTLY WORKING AT DHEMAJI TUBERCULOSIS UNIT.

10: PRAMEN CHAMUAH
SON OF LATE MOHAN CH. CHAMUAH

RESIDENT OF VILLAGE- AHUCHAWAL GAON
WARD NO. 3
P.O.- NORTH LAKHIMPUR
DISTRICT- LAKHIMPUR
ASSAM
PIN-787001
PRESENTLY WORKING AT GHILAMARA BLOCK PUBLIC HEALTH CENTRE.

11: DILIP BARUAH
SON OF LATE LILARAM BARUAH
RESIDENT OF VILLAGE- TWON BANTO 24 WARD
1 NO. GHILAGORI
DISTRICT- LAKHIMPUR
ASSAM
PIN-787031
PRESENTLY WORKING AT GHILAMARA BLOCK PUBLIC HEALTH CENTRE.

12: PADMANATH SONOWAL
SON OF BHUBAN SONOWAL
RESIDENT OF VILLAGE- HATIGARH
P.O.- HATIGARH
DISTRICT- DHEMAJI
ASSAM
PIN-787057
PRESENTLY WORKING AT DHEMAJI TUBERCULOSIS UNIT

13: DEBAJIT GOGOI
SON OF BUDHESWAR GOGOI
RESIDENT OF VILLAGE- LACHIT NAGAR
P.O.- KHUBALIA
DISTRICT- DHEMAJI
ASSAM
PIN-787057
PRESENTLY WORKING AT GOGAMUKH TUBERCULOSIS UNIT.

14: GOPAL CH. DEORI
SON OF MONIPUR DEORI
RESIDENT OF VILLAGE- BAMCHENIA DEORI GAON
P.O.- KADAMGURI
DISTRICT- DHEMAJI
ASSAM

PIN-787034
PRESENTLY WORKING AT GOGAMUKH TUBERCULOSIS UNIT.

15: AJIT BURAGOHAIN
SON OF LATE KUMUD BURAGOHAIN
RESIDENT OF VILLAGE- BHARALICHUK
P.O.- DHEMAJI
DISTRICT- DHEMAJI
ASSAM
PIN-787057
PRESENTLY WORKING AT SILAPATHAR TUBERCULOSIS UNIT.

16: GARIKH SONOWAL
SON OF KAMAL SONOWAL
RESIDENT OF VILLAGE- NA-ALI BHAJUGAON
P.O.- JIADHAL CHARIALI
DISTRICT- DHEMAJI
ASSAM
PIN- 787057
PRESENTLY WORKING AT BENGENAGORAH BLOCK PUBLIC HEALTH
CENTRE.

17: JAYANTA KAKATI
SON OF LATE LANKESWAR KAKATI
RESIDENT OF VILLAGE- BHARALICHUK
P.O- DHEMAJI
DISTRICT- DHEMAJI
ASSAM
PIN-787057
PRESENTLY WORKING AT DISTRICT TUBERCULOSIS CENTRE
DHEMAJ

VERSUS

THE STATE OF ASSAM AND 9 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, HEALTH AND FAMILY WELFARE
DEPARTMENT, DISPUR, GUWAHATI-6.

2:THE DIRECTOR OF HEALTH SERVICES
ASSAM
HENGRABARI
GUWAHATI-36.

3:THE JOINT DIRECTOR OF HEALTH SERVICE (T.B.)
ASSAM
HENGRABARI
GUWAHATI-36.

4:THE JOINT DIRECTOR OF HEALTH SERVICES
LAKHIMPUR
NORTH LAKHIMPUR
DISTRICT- LAKHIMPUR
ASSAM

5:THE DISTRICT TUBERCULOSIS OFFICER
LAKHIMPUR
DISTRICT-LAKHIMPUR
ASSAM

6:THE DISTRICT TUBERCULOSIS CONTROL SOCIETY

LAKHIMPUR REPRESENTED BY ITS CHAIRMAN
THE DEPUTY COMMISSIONER
LAKHIMPUR
DISTRICT-LAKHIMPUR
ASSAM

7:THE JOINT DIRECTOR OF HEALTH SERVICE
DHEMAJI
DHEMAJI
DISTRICT- DHEMAJI
ASSAM

8:THE DISTRICT TUBERCULOSIS OFFICER
DHEMAJI
DISTRICT-DHEMAJI
ASSAM

9:THE DISTRICT TUBERCULOSIS CONTROL SOCIETY
DHEMAJI REPRESENTED BY ITS CHAIRMAN
THE DEPUTY COMMISSIONER
DHEMAJI
DISTRICT-DHEMAJI
ASSAM

10:THE COMMISSIONER AND SECRETARY
TO THE GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-6

Advocate for the Petitioner : MR. N BORAH

Advocate for the Respondent : SC, HEALTH

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

23.12.2021

Heard Shri N. Borah, learned counsel for the petitioners, who are working on contractual basis under the Health Department at Lakhimpur and Dhemaji as Demonstrator Laboratory Technician, Senior Tuberculosis Laboratory Supervisor, Data Entry Operator (DEO) and similar post on contractual basis since a long period of time spanning from the year of 2002. It is contended that their entry into their services was preceded by a selection process. However, till date, the petitioners are being granted fixed pay for which inconvenience is suffered. The petitioners pray for regularization of their services including payment in scale.

Issue Notice, returnable by 4(four) weeks.

Ms. D. Borah, learned Standing Counsel, Health Department accepts notice on behalf of the respondent nos. 1 to 9 whereas Shri A. Chaliha, learned Standing Counsel, Finance Department accepts notice on behalf of the respondent no. 10. Extra copies of the writ petition be served upon them during the course of the day.

List accordingly.

Pendency of the writ petition shall not be a bar for consideration of the cases of the petitioners, if done in accordance with law.

JUDGE

Comparing Assistant