

GAHC010087392022



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

Case No. : WP(C)/3027/2022

DHRUBAJYOTI MEDHI AND 6 ORS.
SON OF GHANAKANTA MEDHI,
RESIDENT OF VILLAGE- MILANPUR, P.O. AND P.S.- BOKO, DISTRICT-
KAMRUP, ASSAM, PIN-781123
PRESENTLY WORKING AT BOKO BLOCK PUBLIC HEALTH CENTRE

2: ABDUS SAMAD
SON OF MD. SHEHRAB ALI
RESIDENT OF VILLAGE- GHOPA
P.O.- LAWHATA
DISTRICT- NALBARI
ASSAM
PIN-781335
PRESENTLY WORKING AT AZARA TUBERCULOSIS UNIT
AZARA BLOCK PUBLIC HEALTH CENTRE

3: PRAFULLA KR. CHOUDHURY
SON OF LATE BIRESWAR CHOUDHURY
RESIDENT OF VILLAGE- BASACHUBA
P.O.- DHEKIPARA
P.S.- SIPAJHAR
DISTRICT- DARRANG
ASSAM
PIN-784145
PRESENTLY WORKING AT AZARA TUBERCULOSIS UNIT
AZARA BLOCK PUBLIC HEALTH CENTRE

4: SURESH BARUAH
SON OF LATE PRATAP CH. BARUAH
RESIDENT OF VILLAGE AND P.O.- BIHDIA
P.S.- BAIHATA CHARIALI
DISTRICT- KAMRUP
ASSAM
PIN-781381

PRESENTLY WORKING AT HAJO BLOCK PUBLIC HEALTH CENTRE

5: RAHUL SARMA
SON OF RAJANI SARMA
RESIDENT OF VILLAGE- SANTIPUR
WARD NO.4
P.O. AND P.S.- MANGALDAI
DISTRICT- DARRANG
ASSAM
PIN- 784125
PRESENTLY WORKING AT NORTH GUWAHATI BLOCK PUBLIC HEALTH
CENTRE

6: ANANTA BORO
SON OF JOGESWAR BORO
RESIDENT OF VILLAGE- LAMPARA
P.O.- BIRPARA
P.S.- BOKO
DISTRICT- KAMRUP
ASSAM
PIN-781123
PRESENTLY WORKING AT BOKO TUBERCULOSIS UNIT
BOKO BLOCK PUBLIC HEALTH CENTRE

7: SMTI GITIKA BARMAN DEVI
WIFE OF BHUBANESWAR SARMAH DAUGHTER OF LATE JANMI BARMAN

RESIDENT OF VILLAGE- BALIKURIA
P.O.- KAZIPARA
P.S.- NALBARI
DISTRICT- NALBARI
ASSAM
PIN-781341
PRESENTLY WORKING AT NORTH GUWAHATI TUBERCULOSIS UNIT
ABHAYPUR BLOCK PUBLIC HEALTH CENTRE

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 SERVICES (T.B.)
ASSAM
HENGRABARI
GUWAHATI-36

4:THE JOINT DIRECTOR OF HEALTH SERVICES
KAMRUP
DISTRICT- KAMRUP
ASSAM
PIN-

5:THE DISTRICT TUBERCULOSIS OFFICER
KAMRUP
DISTRICT- KAMRUP
ASSAM
PIN-

6:THE DISTRICT TUBERCULOSIS CONTROL SOCIETY
KAMRUP
REPRESENTED BY ITS CHAIRMAN
THE DEPUTY COMMISSIONER
KAMRUP
DISTRICT- KAMRUP
ASSAM
PIN-

7:THE JOINT DIRECTOR OF HEALTH SERVICES
NALBARI
DISTRICT- NALBARI
ASSAM
PIN-

8:THE DISTRICT TUBERCULOSIS OFFICER
NALBARI
DISTRICT- NALBARI
ASSAM
PIN-

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

10:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF

ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-

Advocate for the Petitioner : MR. N BORAH,

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

Linked Case : WP(C)/3230/2022

BISWAJIT GOGOI AND 3 ORS.
S/O- LATE JUNARAM GOGOI
R/O- VILL.- SEGUNIBARI GAON (BARMAN NAGAR)
P.O. AND P.S. BARBARI
DIST. DIBRUGARH
ASSAM
PIN- 786002
PRESENTLY WORKING AT DISTRICT TUBERCULOSIS CENTRE
ASSAM MEDICAL COLLEGE
DIBRUGARH.

2: SUBRATA KR. BISWAS
S/O- LATE JATINDRA KR. BISWAS
R/O- VILL- KHALIHAMARI JAIL ROAD
P.O.
P.S. AND DIST. DIBRUGARH
ASSAM
PIN- 786001
PRESENTLY WORKING AT DISTRICT TUBERCULOSIS CENTRE
ASSAM MEDICAL COLLEGE
DIBRUGARH.

3: DEEPAK KR. GOGOI
S/O- SRI NAKUL CHANDRA GOGOI
R/O- VILL.- AMOLAPATTY GUARDPARA
P.O.
P.S. AND DIST. DIBRUGARH
ASSAM
PIN- 786001
PRESENTLY WORKING AT DISTRICT TUBERCULOSIS CENTRE
ASSAM MEDICAL COLLEGE
DIBRUGARH.

4: JYOTIRMOY NEOG
S/O- SRI NARESWAR NEOG
R/O- VILL.- HILOIDHARI GAON
P.O. HILOIDHARI
P.S. AND DIST. DIBRUGARH
ASSAM
PIN- 786002
PRESENTLY WORKING AT RURAL HEALTH TRAINING CENTRE (CHABUA)
DIBRUGARH.
VERSUS

THE STATE OF ASSAM AND 6 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 SERVICES (T.B.)
ASSAM
HENGRABARI
GUWAHATI-36.

4:THE JOINT DIRECTOR OF HEALTH SERVICES
DIBRUGARH
DIST. DIBRUGARH
ASSAM

5:THE DISTRICT TUBERCULOSIS OFFICER
DIBRUGARH
DIST. DIBRUGARH
ASSAM

6:THE DISTRICT TUBERCULOSIS CONTROL SOCIETY
DIBRUGARH
REP. BY ITC CHAIRMAN
THE DEPUTY COMMISSIONER
DIBRUGARH
DIST. DIBRUGARH
ASSAM

7:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM

FINANCE DEPARTMENT
DISPUR
GHY-6.

Advocate for : MR. N BORAH
Advocate for : SC
HEALTH appearing for THE STATE OF ASSAM AND 6 ORS.

Linked Case : 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
DHEMAJI
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
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GUWAHATI-36.

3:THE JOINT DIRECTOR OF HEALTH SERVICE (T.B.)

ASSAM
HENGRABARI
GUWAHATI-36.

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LAKHIMPUR
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DISTRICT- LAKHIMPUR
ASSAM

5:THE DISTRICT TUBERCULOSIS OFFICER
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ASSAM

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

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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 : MR. N BORAH

Advocate for : SC

HEALTH appearing for THE STATE OF ASSAM AND 9 ORS

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

17.12.2024

Mr. N. Borah, learned counsel appearing for the petitioners in these writ petitions has submitted that the petitioners were earlier employees under the Tuberculosis Control Society which used to implement the National Tuberculosis Programme. He has further submitted that since April, 2012, the National Tuberculosis Programme has come under aegis of the National Health Mission making the Director of Health Services, Assam as an implementing agency, pursuant to a Notification dated 03.04.2012.

2. In such view of the matter, Mr. Borah has submitted that the National Health Mission would be a necessary party in this writ proceedings and he will file an interlocutory application seeking impleadment of the National Health Mission as a party-respondent in these writ petitions. He has, thus, sought for listing of these cases after 2 [two] weeks in order to file such additional pleadings.

3. Mr. B. Gogoi, learned Standing Counsel, Health and Family Welfare Department is present.

4. List the cases after 2 [two] weeks.

JUDGE

Comparing Assistant