

GAHC010286242025



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

Case No. : Cont.Cas(C)/27/2026

SMTI. MALATI THAKURIA AND 4 ORS
W/O LT. PADMA RAM KONWAR, VILL AND P.O.- MALABARI, P.S.- KHETRI,
KAMRUP (M), ASSAM, PIN- 782403

2: SMTI. SWAPNA RANI KALITA
W/O LT. DHIREN KALITA
VILL- MALANCHAL
P.O. AND P.S- NAGARBERA
DIST- KAMRUP
ASSAM
PIN- 781127

3: SMTI. BASUMATI DEKA
W/O DIMBESWAR SAHARIA
VILL- BELKONA
P.O. BEHDIA
P.S.- BAIHATA CHARIALI
DIST.- KAMRUP
ASSAM
PIN- 781381

4: SMTI. MONOMATI BORO
W/O DHANESWAR BORO
VILL- MILANPUR
TEPCHIA
P.O. AND P.S.- BOKA
DIST.- KAMRUP ASSAM
PIN- 781123

5: SMTI. BHARATI DEKA
W/O KHARGESWAR KALITA
VILL.- DAKSHIN LENGA
P.O- BARBAKA
P.S- BAIHATA CHARIALI

DIST- KAMRUP
ASSAM
PIN- 78103

VERSUS

DR. P ASHOK BABU, IAS AND 3 ORS
THE SECRETARY TO THE GOVERNMENT OF ASSAM, HEALTH AND
FAMILY WELFARE DEPARTMENT, DISPUR, GUWAHATI- 781006, ASSAM.

2:JAYANT NARLIKAR
IAS
SECRETARY TO THE GOVERNMENT OF ASSAM
DEPARTMENT OF FINANCE
DISPUR
GUWAHATI-781006
ASSAM

3:MUNINDRA NATH NGATEY
ACS
THE DIRECTOR OF HEALTH SERVICES (FW)
GOVERNMENT OF ASSAM
SWASTHYA BHAWAN
HENGRABARI
GUWAHATI-781036

4:DR. GAURAV KUMAR
THE ACCOUNTANT GENERAL
ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI-78102

For the Petitioner(s) : Mr. M. K. Boro, Advocate

For the Respondent(s) : Mr. D. Upamanyu, Standing Counsel

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 30.01.2026

This is an application filed alleging willful and deliberate violation to the order dated 25.10.2024 passed by the learned Coordinate Bench of

this Court in WP(C) No.1547/2024.

2. In the said order dated 25.10.2024, the learned Coordinate Bench of this Court passed the following directions at paragraph No.10 which are reproduced herein under:

“10. In view of the above, this Court is of the view that the judgment and order dated 16.11.2012 passed in WP(C) 1806/2009 and other similar orders (supra) on the issue regarding fixation of pay is required to be revisited by the respondent authorities. Accordingly, the respondent authorities are directed to revisit the same. It is provided that while considering the grievance of the petitioners, the respondent authorities would be guided by the judgment and order of this Court as aforementioned. It is further directed that the respondent authorities shall consider the same within a period of 2(two) months from the date of receipt of the copy of this order.”

3. The Petitioners thereupon submitted the copy of the said order dated 25.10.2024 before the Director of Health Service for compliance. However, on account of non-compliance, the Petitioners have approached this Court.

4. This Court prior to issuance of notice, would like to ascertain as to whether the order dated 25.10.2024 passed in WP(C) No.1547/2024 have been complied with or not.

5. Under such circumstances, this Court therefore requested Mr. D. Upamanyu, the learned Standing counsel of the Health and Family Welfare Department to obtain instructions from the Director of Health Service as to whether the order dated 25.10.2024 passed in WP(C) No.1547/2024 have been complied with or not.

6. List this matter again on 23.02.2026 at the motion stage.

7. An extra copy of the instant application be served upon Mr. D. Upamanyu, the learned Standing counsel for the Health and Family Welfare Department so that he is in a position to obtain the instructions.
8. The Registry shall indicate the name of Mr. D. Upamanyu as the Standing counsel for the Health and Family Welfare Department in the Cause List.

JUDGE

Comparing Assistant