

GAHC020004022024



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

Case No. : WP(C)/140/2024

SMTI.THUNGCHANBENI YANTHAN
W/O SHRI ALFRED LAPON,
R/O WOKHA TOWN, PO AND PS-WOKHA.
DISTRICT-WOKHA, NAGALAND

VERSUS

THE STATE OF NAGALAND AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF NAGALAND,
DEPARTMENT OF EXCISE AND PROHIBITION,
NAGALAND, KOHIMA

2:THE COMMISSIONER OF EXCISE AND PROHIBITION

DIMAPUR
NAGALAND.

3:THE SUPERINTENDENT

EXCISE AND PROHIBITION
WOKHA
NAGALAND

4:SMTI. BITHUNGLO N.MOZHUI
MULTI TASKING STAFF
OFFICE OF THE SUPERINTENDENT
EXCISE AND PROHIBITION
WOKHA
NAGALAN

Advocate for the Petitioner : LIMAWAPANG

Advocate for the Respondent : GOVT ADV NL

**BEFORE
HON'BLE MR. JUSTICE KAKHETO SEMA**

ORDER

29.07.2024

Heard Mr. Limawapang, learned counsel for the petitioner.

The case in brief is that the petitioner submitted an Application dated NIL to the Commissioner of Excise, Nagaland, Dimapur, for appointment to the post of *Chowkidar* (MTS) under the Superintendent of Excise, Wokha. A Screening Committee was constituted by the Department and the Committee, on 21.11.2022 recommended the petitioner for appointment to the post of *Chowkidar* (MTS) at Wokha. Thereafter, by the Letter dated 05.01.2023, the Government conveyed the approval for appointment of the petitioner to the post of *Chowkidar* (MTS) at Wokha and subsequently, by the Order dated 07.01.2023, issued by the Commissioner of Excise, Wokha, the petitioner was appointed to the post of MTS in the Office of the Superintendent of Excise, Wokha. However, by the Letter dated 08.05.2023, issued by the Government in the Department of Excise & Prohibition, Nagaland, Kohima, the respondent No. 4 was appointed to the post against which the petitioner was appointed on compassionate ground and consequent thereto, the Commissioner of Excise, Nagaland, Dimapur, issued the Order dated 30.10.2023 immediately revoking the appointment of the petitioner as MTS under the establishment of Superintendent of Excise, Wokha. Being aggrieved the petitioner is before this Court.

Issue notice to the respondents returnable after **4 (four) weeks**.

Ms. Inaholi, learned Government Advocate appears on behalf of the State respondent Nos. 1, 2 and 3, therefore, no formal notice need be issued.

The learned counsel for the petitioner shall, however, serve the requisite copies of the writ petition to the learned State counsel within a period of 2 (two) days from today.

In so far as the respondent No. 4 is concerned, the learned counsel for the petitioner shall take steps for service of notice upon the said respondents by registered post with A/D within a period of 2 (two) days from today.

The prayer for interim shall be considered on the next returnable date.

Sd/-
JUDGE

Comparing Assistant