

GAHC020004592024



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

Case No. : WP(C)/164/2024

SHRI H. LONGNGO KONYAK
S/O SHRI HONGYING LKONYAK
PERMANENT R/O NGANGCHING VILLAGE
MON, NAGALAND

VERSUS

THE STATE OF NAGALAND AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF NAGALAND
DEPT. OF AGRICULTURE
NAGALAND KOHIMA

2:THE DIRECTOR
DIRECTORATE OF AGRICULTURE
GOVT. LOF NAGALAND
KOHIMA NAGALAND

3:THE SUB-DIVISIONAL AGRI OFFICER
SDAO OFFICE
ABOI
MON NAGALAND

4:THE DEPUTY COMMISSIONER
MON NAGALAND

5:SHRI MOBA E
C/O SUB-DIVISIONAL AGRI OFFICER (SDAO)
NAGALAN

Advocate for the Petitioner : PAKINRICHAPBO

Advocate for the Respondent : GOVT ADV NL

**BEFORE
HON'BLE MR. JUSTICE NELSON SAILO**

ORDER

20.08.2024

Heard Mr. Pakinrichapbo, learned counsel for the petitioner, who submits that the family of the petitioner had donated land for setting up of the Office of the Sub-Divisional Agriculture Officers in Aboi some time in the year 1955. It was at that time that Aboi town was also established. While donating the land, there was an oral agreement between the petitioner's family and the Government that the family members of the petitioner will be accommodated in Government service in *lieu* of the land donation. However, despite such an oral agreement, none of the family members of the petitioner have been appointed into Government service. The learned counsel submits that recently vacancy occurred in the post of *Chowkidar* under the establishment of the respondent No. 3 due to the retirement of the incumbent on superannuation. The petitioner applied for the said post and he was also duly recommended by the respondent No. 3 to the respondent No. 2, However, despite the same, respondent No. 5 was instead appointed vide Notification dated 28.06.2024 although he is not a land donor. Aggrieved the petitioner is before this Court.

Issue notice of motion returnable by **4 (four) weeks**.

Mr. Veto V. Zhimomi, learned State counsel accepts

notice on behalf of the respondent Nos. 1 to 4.

Petitioner to serve requisite extra copies of the writ petition to the learned State counsel.

Petitioner to take steps for service of notice upon respondent No. 5 by registered post with A/D within a period of 3 (three) days.

In the interim, the appointment of the respondent No. 5 vide Notification dated 28.06.2024 shall be subject to the outcome of the writ petition.

Sd/-
JUDGE

Comparing Assistant