

GAHC030005802024



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

Case No. : WP(C)/96/2024

Dr. Lalzikpuii
D/o Liansailova,
R/o Tuikual North, Aizawl.

VERSUS

The Union of India r/b the Secretary to the Govt. of India and 3 Ors.
Ministry of Health and Family Welfare, 331-C, Nirman Bhawan, New Delhi.

2:The Under Secretary
Ministry of Health and Family Welfare
Govt. of India
North East Section
331-C
Nirman Bhawan
New Delhi

3:The Director
IFD
Ministry of Health and Family Welfare
Govt. of India
331-C
Nirman Bhawan
New Delhi.

4:The Director
Regional Institute of Para Medical and Nursing Sciences (RIPANS)
Aizawl

Advocate for the Petitioner : Mr A.R. Malhotra

Advocate for the Respondent : Ms Zairemsangpuii for R1

ORDER
BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

10.09.2024

Heard Mr. A.R. Malhotra, learned counsel for the petitioner, who submits that the petitioner was appointed as Lecturer in D. Pharmacy on contract basis on 16.02.2001 on the basis of the recommendation of the Staff Selection Committee meeting held on 29.11.2000. Thereafter, the petitioner was appointed on officiating basis with effect from 12.10.2001 against a vacant post, which occurred due to the taking of two years leave by one Ms. Binu Singh. The appointment of the petitioner on officiating was taken on the basis of the same Staff Selection Committee meeting held on 29.11.2000, by which the petitioner had been selected for the post of Lecturer on contractual basis.

Mr. A.R. Malhotra, learned counsel for the petitioner submits that the petitioner's seniority should be counted with effect from 01.10.2001 with all consequential benefits, as her officiating service prior to regularization has to be counted as regular service.

Issue notice, returnable in four (4) weeks.

Mr. B. Lalramenga, learned counsel accepts notice on behalf of the respondent No. 4 and Ms. Zairemsangpuii, learned CGC accepts notice on behalf of the respondent Nos. 1 to 3. Extra copies of the writ petition be furnished to the counsels

for the respondents.

The petitioner's counsel and the counsel for the respondent No. 4 shall on the next date provide the extract of Article 24 of the Constitution of the RP&NTI. The petitioner's counsel shall also have to clarify paragraph No. 9 of Page 25 of the writ petition.

List the matter again after four (4) weeks.

JUDGE

Comparing Assistant