

(2011) 07 GAU CK 0029
In the Gauhati High Court
Case No : Writ Petition (C) No. 62 of 2011

Sh. M.C. Lalthankima

APPELLANT

Vs

The State of Mizoram and Others

RESPONDENT

Date of Decision : 19-07-2011

Acts Referred:

Citation : (2011) 07 GAU CK 0029

Hon'ble Judges : H. Baruah, J

Bench : Single Bench

Advocate : T.J. Lalnuntluanga, for the Appellant; N. Sailo, Addl. A.G., for the Respondent

Judgement

H. Baruah, J.—Heard Mr. T.J. Lalnuntluanga, learned Counsel for the Petitioner as well as Mr. N. Sailo, learned Addl. A. G for the State Respondents, who accept notices on their behalf.

2. The grievance of the Petitioner in this writ petition, inter alia, is that he was engaged as unskilled Driver on Muster roll basis in the year of 1997 under Local Administrative Department (LAD). Even after the bifurcation of the LAD by the Government of Mizoram into two departments such as LAD and Urban Development and Poverty Alleviation (UD & PA), the Petitioner continued in the same capacity under UD & PA Department, Champhai till date. Although the Petitioner has been engaged as Muster Roll workers for a pretty long time, his service has not been regularized till date in spite of request made by him from time to time. The State Government, in the meantime, has formulated a scheme to regularize the muster roll workers on fulfilling certain conditions. The grievance of the Petitioner is that although he has fulfilled all the necessary criteria, his case for regularization has not been considered.

3. Upon hearing the learned Counsel for the parties and on consideration of the materials available on record, I do not consider that the matter should be kept pending. Accordingly, as agreed to by the learned Counsel for the parties, this

writ petition is disposed of at the motion stage itself, with the direction that the Petitioner shall within a period of three weeks from today file a representation before the appropriate authority praying for his regularization of his service. On receipt of the said representation, the Respondent authorities shall consider his case for such regularization in terms of the existing scheme, i.e. Regularization of Muster Roll Employees Mizoram Scheme, 2000, Rules and guidelines holding the field. The aforesaid consideration shall be made expeditiously as possible taking note of the cases of other similarly situated persons. The Petitioner shall along with the representation file a certified copy of this order before the appropriate authority for doing the needful and the Respondent authorities shall dispose of the same within 90 days thereafter.

4. This writ petition stands disposed of.