

GAHC010049932024



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

Case No. : WP(C)/1439/2024

AZIZUL HOQUE AND 25 ORS
AGE 31 YEARS
SON OF GULAP ALI
VILLAGE-BARANGABARI
PO- JANGALPARA, PS- KHARUPETIA
DISTRICT-DARANG (ASSAM)
PIN-784115

2: MAZIBAR RAHMAN
AGE 33 YEARS
SON OF SADEK ALI
VILLAGE- JANGALPARA
PO- JANGALPARA
PS- KHARUPETIA
DISTRICT-DARANG (ASSAM)
PIN-784116

3: SAMAD ALI
AGE 35 YEARS
SON OF ABDUL HAI
VILLAGE- BECHIMARI
PO- BECHIMARI
PS- DALGAON
DIST-DARANG (ASSAM)
PIN-784514

4: FAIZUR RAHMAN
AGE 35 YEARS
SON OF HUSSAIN ALI
VILLAGE- NO. 4 BORUAJHAR
PO- BECHIMARI
PS- DALGAON
DISTRICT-DARANG (ASSAM)
PIN-784514

5: MALEK USTAR
AGE 28 YEARS
SON OF HABIBAR RAHMAN
VILLAGE- KHAIRAKATA
PO- CHAKARABASTI
PS- DALGAON
DISTRICT-DARANG (ASSAM)
PIN-784116

6: MUKTAR HUSSAIN
AGE 31 YEARS
SON OF SAMSUL HOQUE
VILLAGE- KAMARPARA
PO- GHANSIMULI
PS- KHARUPETIA
DISTRICT-DARANG (ASSAM)
PIN-784115

7: SUKUR ALI
AGE 29 YEARS
SON OF NIZAM UDDIN
VILLAGE- NO. 1 KHETESWAR
PO- KHARUPETIA
PS- KHARUPETIA
DISTRICT-DARANG (ASSAM)
PIN-784115

8: MUSA ALI
AGE 22 YEARS
SON OF LAL MIYA
VILLAGE- BIHUDIA
PO- KHARUPETIA
PS- KHARUPETIA
DISTRICT-DARANG (ASSAM)
PIN-784115

9: HASIDUL ISLAM
AGE 25 YEARS
SON OF MOBARAK ALI
VILLAGE- BAHABARI
PO- KHARUPETIA
PS- KHARUPETIA
DISTRICT-DARANG (ASSAM)
PIN-784115

10: HIFJUR RAHMAN
AGE 40 YEARS

SON OF ABDUL RASHID
VILLAGE- KACHUMARI
PO- KOUPATI
PS- DALGAON
DISTRICT-DARANG (ASSAM)
PIN-784113

11: SADDAM HUSSAIN
AGE 29 YEARS
SON OF RAHIMUDDIN
VILLAGE- ALISANGA
PO- BECHIMARI
PS- DALGAON
DISTRICT-DARANG (ASSAM)
PIN-784114

12: JAHIRUL ISLAM
AGE 45 YEARS
SON OF SAMSUL HOQUE
VILLAGE- SIALMARI
PO- DALGAON
PS- DALGAON
DISTRICT-DARANG (ASSAM)
PIN-784116

13: JEHIRUL ISLAM
AGE 35 YEARS
SON OF RASUL UDDIN
VILLAGE- JAMALPUR
PO- DALGAON
PS- DALGAON
DISTRICT-DARANG (ASSAM)
PIN-784116

14: SAMSUL HOQUE
AGE 30 YEARS
SON OF MAZIBAR RAHMAN
VILLAGE- NIZ NAGAJAN
PO- KHARUPETIA
PS- KHARUPETIA
DISTRICT-DARANG (ASSAM)
PIN-784115

15: ASHADUD JAMAN
AGE 34 YEARS
SON OF SURUJ ALI
VILLAGE- BAHABARI
PO- KHARUPETIA

PS- KHARUPETIA
DISTRICT-DARANG (ASSAM)
PIN-784115

16: NAIBUDDIN
AGE 23 YEARS
SON OF MARJAT ALI
VILLAGE- BARANGABARI
PO- JANGALPARA
PS- KHARUPETIA
DISTRICT-DARANG (ASSAM)
PIN-784116

17: MAHEJ ALI
AGE 28 YEARS
SON OF JAMILUDDIN
VILLAGE- MOUCHITA
PO- SHYAMTILA
PS- DHULA
DISTRICT-DARANG (ASSAM)
PIN-784190

18: MAFIDUL ISLAM
AGE 40 YEARS
SON OF RAHAN ALI
VILLAGE- NO. 1 DHANSHIRIKASHAH
PO- SHYAMTILA
PS- DHULA
DISTRICT-DARANG (ASSAM)
PIN-784190

19: AHAD ALI
AGE 28 YEARS
SON OF BADSHA ALI
VILLAGE- NO. 1 ARIMARI
PO- KHARUPETIA
PS- KHARUPETIA
DISTRICT-DARANG (ASSAM)
PIN-784115

20: MUZAMMEL HOQUE
AGE 23 YEARS
SON OF HABIBUR RAHMAN
VILLAGE- NO. 3 ARIMARI
PO- KHARUPETIA
PS- KHARUPETIA
DISTRICT-DARANG (ASSAM)
PIN-784115

21: SAMIR ALI
AGE 31 YEARS
SON OF JIAD ALI
VILLAGE- KHETASWAR
PO- KHARUPETIA
PS- KHARUPETIA
DISTRICT-DARANG (ASSAM)
PIN-784115

22: MOHIBUL ISLAM
AGE 27 YEARS
SON OF SAIRUDDIN
VILLAGE- NO. 2 MAJGAON
PO- LALPUL
PS- DALGAON
DISTRICT-DARANG (ASSAM)
PIN-784514

23: MATIUR RAHMAN
AGE 39 YEARS
SON OF HASEN ALI
VILLAGE- NO. 1 NC ARIMARI
PO- KHARUPETIA
PS- KHARUPETIA
DISTRICT-DARANG (ASSAM)
PIN-784115

24: NOORUDDIN JAHANGIR
AGE 31 YEARS
SON OF NAZRUL ISLAM
VILLAGE- NO. 2 DHANSHIRIKASH
PO- SHYAMTILA
PS- DHULA
DISTRICT-DARANG (ASSAM)
PIN-784190

25: MAZHARUL ISLAM
AGE 37 YEARS
SON OF LATE ABDUL MALEK
VILLAGE- MADHUPUR
PO- LALPUL
PS- DALGAON
DIST-DARANG (ASSAM)
PIN-784115

26: REZAUL HOQUE MOLLAH
AGE 28 YEARS

SON OF SHAHID MOLLAH
VILLAGE- BHUTUNIDOB
PO- MOHANPUR
PS- UDALGURI
DIST-UDALGURI (ASSAM)
PIN-78450

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF
ASSAM, POWER (ELECTRICITY) DEPARTMENT, DISPUR, GUWAHATI, PIN-
781006

2:THE ASSAM POWER DISTRIBUTION COMPANY LIMITED
REPRESENTED BY THE MANAGING DIRECTOR
BIJULEE BHAWAN
PALTAN BAZAR
GUWAHATI
PIN-781001

3:THE MANAGING DIRECTOR
THE ASSAM POWER DISTRIBUTION COMPANY LIMITED
BIJULEE BHAWAN
PALTAN BAZAR
GUWAHATI
PIN-781001

4:THE CHIEF GENERAL MANAGER (HRA)
APDCL
BIJULEE BHAWAN
PALTAN BAZAR
GUWAHATI
PIN-781001

5:THE CHIEF EXECUTIVE OFFICER
MANGALDAI ELECTRICAL CIRCLE
APDCL
MANGALDOI
DISTRICT- DARRANG (ASSAM)
PIN-784125

6:THE SUB-DIVISIONAL OFFICER
KHARUPETIA ELECTRICAL SUB-DIVISION
NETAJI NAGAR
KHARUPETIA
DISTRICT- DARRANG
ASSAM

PIN-784115

7:THE COMMITTEE CONSTITUTED BY OFFICE ORDER DATED 14.12.2023
REPRESENTED BY THE CHIEF GENERAL MANAGER (HRA)
APDCL
BIJULEE BHAWAN
PALTAN BAZAR
GUWAHATI
PIN-78100

Advocate for the Petitioner : MR. M K HUSSAIN

Advocate for the Respondent : SC, APDCL

BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO

ORDER

Date : 13.03.2024

Heard Mr. M.K.Hussain, learned counsel for the petitioners. Also heard Mr. K.P. Pathak, learned Standing Counsel, APDCL appears for respondent Nos.2 to 7.

2. Having regard to the projection made by the petitioners, the writ petition is taken up for disposal at the motion stage.

3. It is the case of the petitioners that they have been engaged as Outsourced Workers (Meter Reader and Sahayak) under Kharupetia Electrical Sub-Division of Mangaldoi Electrical Circle of APDCL receiving monthly remuneration. The respondent authorities in the APDCL have come up with an Office Order dated 02.12.2023, by which the monthly remuneration of the Outsourced Workers of the APDCL is proposed to be enhanced in the manner given in the said order subject to fulfillment of the conditions laid down. While the petitioners are expecting their names to be enlisted amongst the Outsource

Workers entitled to receive enhanced monthly remuneration, their names have not been included in the list published by Office Order dated 14.12.2023 (Annexure C). Being aggrieved, they have preferred a representation before the Chief General Manager (HRA), APDCL on 27.12.2023 in view of the committee constituted to examine the complaints made by any person aggrieved by Office Order dated 14.12.2023. Since the representations of the petitioners have not been considered and disposed of, the petitioners are before this Court.

4. The learned counsel for the petitioners submits that the limited prayer of the petitioners at this stage is for a direction to the respondent authority to dispose of the representation of the writ petitioners. To this submission, Mr.K.P.Pathak, learned Standing Counsel, APDCL submits that in the Office Order dated 14.12.2023 itself there are certain terms and conditions mentioned therein regarding objection or deletion of names by any person concerned. In the event of such objection, petition is to be forwarded to the office of the Chief General Manager (HRA), APDCL through proper channel with proper documents such as payment records, age proof, education qualifications / Certificates etc. And the same will be examined by the committee constituted by the Office Order dated 14.12.2023.

5. In the instant case, the petitioners have only submitted a combined representation before the Chief General Manager (HRA), APDCL and therefore they may be directed to submit individual petition before the said authority with supporting documents as specified in the Office Order dated 14.12.2023.

6. Upon considering the grievances projected by the petitioners and the submissions made, the writ petition is disposed of with a direction to the petitioners to submit individual petition before the Chief General Manager (HRA), APDCL within a period of 15 (fifteen) days from today along with all such

supporting documents in their power and position and as stipulated in the Office Order dated 14.12.2023. The Chief General Manager (HRA), APDCL upon receipt of such application, shall place the same before the committee constituted for the purpose and the committee shall consider and dispose of the petition as expeditiously as possible and within the outer limit of 4 (four) weeks from the date of receipt of the complaint.

7. The petitioners shall submit a copy of this order along with the writ petition before the authority concerned for necessary action. It is also clarified that the authorities concerned shall not insist for a certified copy.

8. Writ petition stands disposed of.

JUDGE

Comparing Assistant