

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

ITANAGAR PERMANENT BENCH: NAHARLAGUN

IA (C) 20(AP) OF 2018

[in W.P.(C) NO. 9(AP) OF 2018]

1. Smti. Hanpot Jugli, PRT (AT), C/o Deputy Director of Secondary Education, Changlang, District Changlang, Arunachal Pradesh. Pin: 792120.
2. Shri Chow Newata Khen, PRT (AT), C/o Deputy Director of Secondary Education, Changlang, District Changlang, Arunachal Pradesh. Pin: 792120.
3. Smti. Damcha Tangha, PRT (AT), C/o Deputy Director of Secondary Education, Changlang, District Changlang, Arunachal Pradesh. Pin: 792120.
4. Shri Sukhita Munglang, PRT (AT), C/o Deputy Director of Secondary Education, Changlang, District Changlang, Arunachal Pradesh. Pin: 792120.
5. Shri Sanjay Kr. Rai, PRT (AT), C/o Deputy Director of Secondary Education, Changlang, District Changlang, Arunachal Pradesh. Pin: 792120.
6. Smti. Liliyan J. Ronrang, TGT (JT), C/o Deputy Director of Secondary Education, Changlang, District Changlang, Arunachal Pradesh. Pin: 792120.
7. Shri Mikshum Khimhum, TGT (JT), C/o Deputy Director of Secondary Education, Changlang, District Changlang, Arunachal Pradesh. Pin: 792120.
8. Shri Khumkam Mossang, TGT (JT), C/o Deputy Director of Secondary Education, Changlang, District Changlang, Arunachal Pradesh. Pin: 792120.

9. Smti. Nemhan Jugli, TGT (JT), C/o Deputy Director of Secondary Education, Changlang, District Changlang, Arunachal Pradesh. Pin: 792120.
10. Miss Ritu Tangha TGT (JT), C/o Deputy Director of Secondary Education, Changlang, District Changlang, Arunachal Pradesh. Pin: 792120.
11. Shri Rup Techhi Tara, TGT (JT), C/o Deputy Director of Secondary Education, Seppa, District East Kameng, Arunachal Pradesh.
12. Shri Katung Tana Tara, TGT (JT), C/o Deputy Director of Secondary Education, Seppa, District East Kameng, Arunachal Pradesh.
13. Shri Kame Yangfo, PRT (AT), C/o Deputy Director of Secondary Education, Seppa, District East Kameng, Arunachal Pradesh.
14. Shri Taram Nonang, PRT (JT), C/o Deputy Director of Secondary Education, Pasighat, District East Siang, Arunachal Pradesh.
15. Shri Osek Apum, PRT (JT), C/o Deputy Director of Secondary Education, Pasighat, District East Siang, Arunachal Pradesh.
16. Shri Anand Mize, PRT (JT), C/o Deputy Director of Secondary Education, Pasighat, District East Siang, Arunachal Pradesh.
17. Shri Royjel Perme, PRT (JT), C/o Deputy Director of Secondary Education, Pasighat, District East Siang, Arunachal Pradesh.
18. Shri Kirong Siram, PRT (JT), C/o Deputy Director of Secondary Education, Pasighat, District East Siang, Arunachal Pradesh.
19. Miss Oyem Lego, PRT (JT), C/o Deputy Director of Secondary Education, Pasighat, District East Siang, Arunachal Pradesh.
20. Miss Masum Saring, PRT (JT), C/o Deputy Director of Secondary Education, Pasighat, District East Siang, Arunachal Pradesh.
21. Miss Yam Tabing, TGT (JT), C/o Deputy Director of Secondary Education, Pasighat, District East Siang, Arunachal Pradesh.

22. Miss Kiran Tamuk, TGT (JT), C/o Deputy Director of Secondary Education, Pasighat, District East Siang, Arunachal Pradesh.
23. Miss Maman Darang, TGT (JT), C/o Deputy Director of Secondary Education, Pasighat, District East Siang, Arunachal Pradesh.
24. Miss Oyem Taning, TGT (JT), C/o Deputy Director of Secondary Education, Pasighat, District East Siang, Arunachal Pradesh.
25. Miss Boa Rita, PRT (AT), C/o Deputy Director of Secondary Education, Kra-Dadi, District Kra-Dadi, Arunachal Pradesh. Pin No. 791118.
26. Miss Tassar Yakuli , PRT (AT), C/o Deputy Director of Secondary Education, Kra-Dadi, District Kra-Dadi, Arunachal Pradesh.
27. Shri. Nangbia Anna, PRT (AT), C/o Deputy Director of Secondary Education, Kra-Dadi, District Kra-Dadi, Arunachal Pradesh
28. Miss Toku Sita, TGT (JT), C/o Deputy Director of Secondary Education, Kra-Dadi, District Kra-Dadi, Arunachal Pradesh.
29. Shri Nato Pertin, PRT (AT), C/o Deputy Director of Secondary Education, Roing, District Lower Dibang Valley, Arunachal Pradesh.
30. Smt. Mumseng Ratan, PRT (AT), C/o Deputy Director of Secondary Education, Roing, District Lower Dibang Valley, Arunachal Pradesh.
31. Smt. Nina Mele, PRT (AT), C/o Deputy Director of Secondary Education, Roing, District Lower Dibang Valley, Arunachal Pradesh.
32. Shri Miding Tayeng, PRT (AT), C/o Deputy Director of Secondary Education, Roing, District Lower Dibang Valley, Arunachal Pradesh.
33. Smt. Ringu Darin, PRT (AT), C/o Deputy Director of Secondary Education, Roing, District Lower Dibang Valley, Arunachal Pradesh.
34. Smt. Mopi Linggi, TGT (JT), C/o Deputy Director of Secondary Education, Roing, District Lower Dibang Valley, Arunachal Pradesh.

35. Smt. Bachanglu Manyu, TGT (JT), C/o Deputy Director of Secondary Education, Roing, District Lower Dibang Valley, Arunachal Pradesh.
36. Smt. Jine Tacho, TGT (JT), C/o Deputy Director of Secondary Education, Roing, District Lower Dibang Valley, Arunachal Pradesh.
37. Smt. Elipe Linggi, TGT (JT), C/o Deputy Director of Secondary Education, Roing, District Lower Dibang Valley, Arunachal Pradesh.
38. Shri Ejing Borang, TGT (JT), C/o Deputy Director of Secondary Education, Roing, District Lower Dibang Valley, Arunachal Pradesh.
39. Smti Beauty Tayeng, TGT (JT), C/o Deputy Director of Secondary Education, Roing, District Lower Dibang Valley, Arunachal Pradesh.
40. Smt. Nachoi Wangsu, PRT (AT), C/o Deputy Director of Secondary Education, Longding, District Longding, Arunachal Pradesh.
41. Smt. Niman Wangnaw, PRT (AT), C/o Deputy Director of Secondary Education, Longding, District Longding, Arunachal Pradesh.
42. Shri Divendra Shah, PRT (AT), C/o Deputy Director of Secondary Education, Longding, District Longding, Arunachal Pradesh.
43. Smt. Haisu Jamikham, PRT (AT), C/o Deputy Director of Secondary Education, Longding, District Longding, Arunachal Pradesh.
44. Smt. Biny Wangjen, TGT (JT), C/o Deputy Director of Secondary Education, Longding, District Longding, Arunachal Pradesh.
45. Shri Longnu Pansa, TGT (JT), C/o Deputy Director of Secondary Education, Longding, District Longding, Arunachal Pradesh.
46. Smt. Phesai Wangsa, TGT (JT), C/o Deputy Director of Secondary Education, Longding, District Longding, Arunachal Pradesh.
47. Smt. Tonya Ango, TGT (JT), C/o Deputy Director of Secondary Education, Longding, District Longding, Arunachal Pradesh.

48. Smt. Yukar Yatar, PRT (AT), C/o Deputy Director of Secondary Education, Ziro , District Lower Subansiri, Arunachal Pradesh.
49. Shri. Padi Tachang, PRT (AT), C/o Deputy Director of Secondary Education, Ziro , District Lower Subansiri, Arunachal Pradesh.
50. Shri Bolo Apo, PRT (AT), C/o Deputy Director of Secondary Education, Ziro, District Lower Subansiri , Arunachal Pradesh.
51. Smt. Koj Sumpi, PRT (AT), C/o Deputy Director of Secondary Education,Ziro , District Lower Subansiri, Arunachal Pradesh.
52. Shri. Bengia Taya, TGT (JT), C/o Deputy Director of Secondary Education,Ziro , District Lower Subansiri, Arunachal Pradesh.
53. Smt. Rina Goba, TGT (JT), C/o Deputy Director of Secondary Education,Ziro , District Lower Subansiri, Arunachal Pradesh.
54. Shri. Michi Buker, TGT (JT), C/o Deputy Director of Secondary Education,Ziro , District Lower Subansiri, Arunachal Pradesh.
55. Smt. Neha Prajapati, PRT (AT), C/o Deputy Director of Secondary Education, Tezu , District Lohit, Arunachal Pradesh.
56. Smt. Rojum Potom, TGT (JT), C/o Deputy Director of Secondary Education, Tezu , District Lohit, Arunachal Pradesh.
57. Smt. Marmik Riba, TGT (JT), C/o Deputy Director of Secondary Education, Tezu , District Lohit, Arunachal Pradesh.
58. Smt. Mongam Rina, TGT (JT), C/o Deputy Director of Secondary Education, Tezu , District Lohit, Arunachal Pradesh.
59. Smt. Manisha Mimi, TGT (JT), C/o Deputy Director of Secondary Education, Tezu , District Lohit, Arunachal Pradesh.
60. Smt. Sailom Chimyang , PRT (AT), C/o Deputy Director of Secondary Education, Khonsa, District Tirap, Arunachal Pradesh.
61. Smt. Nyimam Abo , PRT (AT), C/o Deputy Director of Secondary Education, Khonsa, District Tirap, Arunachal Pradesh.

62. Smt. Chumnyang (Matey) Hodong , PRT (AT), C/o Deputy Director of Secondary Education, Khonsa, District Tirap, Arunachal Pradesh.
63. Smt. Chaje K Lowang , PRT (AT), C/o Deputy Director of Secondary Education, Khonsa, District Tirap, Arunachal Pradesh.
64. Smt. Bindiya W Socia , PRT (AT), C/o Deputy Director of Secondary Education, Khonsa, District Tirap, Arunachal Pradesh.
65. Smt. Chahing Hosai , TGT(JT), C/o Deputy Director of Secondary Education, Khonsa, District Tirap, Arunachal Pradesh.
66. Smt. Chakhum Lowang, TGT(JT), C/o Deputy Director of Secondary Education, Khonsa, District Tirap, Arunachal Pradesh.
67. Smt. Chaphik Bangsia, TGT(JT), C/o Deputy Director of Secondary Education, Khonsa, District Tirap, Arunachal Pradesh.
68. Smt. Chocha Aran,TGT(JT), C/o Deputy Director of Secondary Education, Khonsa, District Tirap, Arunachal Pradesh.
69. Shri. Koj Kapa,TGT(JT), C/o Deputy Director of Secondary Education, Khonsa, District Tirap, Arunachal Pradesh.
70. Shri. Taje Uli, PRT(AT), C/o Deputy Director of Secondary Education, Daporijo, District Upper Subansiri, Arunachal Pradesh.
71. Shri. Talin Kodak, PRT (AT), C/o Deputy Director of Secondary Education, Daporijo, District Upper Subansiri, Arunachal Pradesh.
72. Shri. Taruk Leya, PRT(AT), C/o Deputy Director of Secondary Education, Daporijo, District Upper Subansiri, Arunachal Pradesh.
73. Smt Yomken Bage Karbak, TGT (JT), C/o Deputy Director of Secondary Education, Daporijo, District Upper Subansiri, Arunachal Pradesh.
74. Shri Tater Dugi, TGT (JT), C/o Deputy Director of Secondary Education, Daporijo, District Upper Subansiri, Arunachal Pradesh.
75. Shri Bomter Hai, TGT (JT), C/o Deputy Director of Secondary Education, Daporijo, District Upper Subansiri, Arunachal Pradesh.

76. Smt. Olik Jongkey, PRT (AT), C/o Deputy Director of Secondary Education, Yingkiong, District Upper Siang, Arunachal Pradesh.
77. Smt. Jyoti Tato, PRT (AT), C/o Deputy Director of Secondary Education, Yingkiong, District Upper Siang, Arunachal Pradesh.
78. Shri Maklung Pertin, PRT (AT), C/o Deputy Director of Secondary Education, Yingkiong, District Upper Siang, Arunachal Pradesh.
79. Smt. Kasina Epir, PRT (AT), C/o Deputy Director of Secondary Education, Yingkiong, District Upper Siang, Arunachal Pradesh.
80. Smt. Tina Pertin, PRT (AT), C/o Deputy Director of Secondary Education, Yingkiong, District Upper Siang, Arunachal Pradesh.
81. Shri. Osup Ejing, TGT (JT), C/o Deputy Director of Secondary Education, Yingkiong, District Upper Siang, Arunachal Pradesh.
82. Shri. Tswang Dorjee, TGT (JT), C/o Deputy Director of Secondary Education, Yingkiong, District Upper Siang, Arunachal Pradesh.
83. Shri. Kaling Tayeng, TGT (JT), C/o Deputy Director of Secondary Education, Yingkiong, District Upper Siang, Arunachal Pradesh.
84. Smt. Jain Takuk, TGT (JT), C/o Deputy Director of Secondary Education, Yingkiong, District Upper Siang, Arunachal Pradesh.
85. Smt. Rebika Dai, TGT (JT), C/o Deputy Director of Secondary Education, Yingkiong, District Upper Siang, Arunachal Pradesh.
86. Smt. Tokmem Dai, TGT (JT), C/o Deputy Director of Secondary Education, Yingkiong, District Upper Siang, Arunachal Pradesh.
87. Smt. Obul Boli, TGT (JT), C/o Deputy Director of Secondary Education, Yingkiong, District Upper Siang, Arunachal Pradesh.
88. Smt. Genyak Ete, PRT (AT), C/o Deputy Director of Secondary Education, Aalo, District West Siang, Arunachal Pradesh.
89. Shri Kenjo Karbak, PRT (AT), C/o Deputy Director of Secondary Education, Aalo, District West Siang, Arunachal Pradesh.

90. Smt. Gumrik Nomuk, PRT (AT), C/o Deputy Director of Secondary Education, Aalo, District West Siang, Arunachal Pradesh.
91. Smt. Moyo Bam, TGT (JT), C/o Deputy Director of Secondary Education, Aalo, District West Siang, Arunachal Pradesh.
92. Shri. Baken Potom, TGT (JT), C/o Deputy Director of Secondary Education, Aalo, District West Siang, Arunachal Pradesh.
93. Shri. Taluk Gadi, TGT (JT), C/o Deputy Director of Secondary Education, Aalo, District West Siang, Arunachal Pradesh.
94. Smt. Topi Riba, PRT (AT), C/o Deputy Director of Secondary Education, Likabali, District Lower Siang, Arunachal Pradesh.
95. Shri. Bahen Doye, TGT (JT), C/o Deputy Director of Secondary Education, Likabali, District Lower Siang, Arunachal Pradesh.
96. Shri. Tako Dabi, TGT (JT), C/o Deputy Director of Secondary Education, Likabali, District Lower Siang, Arunachal Pradesh.
97. Shri. Puke Buchi, TGT (JT), C/o Deputy Director of Secondary Education, Likabali, District Lower Siang, Arunachal Pradesh.
98. Smti Yop Rukbo, TGT(JT), C/o Deputy Director of Secondary Education, Yupia, Papumpare District, Arunachal Pradesh.

.....Applicants.

-VERSUS –

- 1) Shri Nabam Pario (PRT), S/o It. Nabam Tadek, Vill-Kolma, P.O./P.S- Doimukh, Papum Pare District, Arunachal Pradesh.
Email: Pario1nabam@gmail.com, Contact no. 9436255309.
- 2) Shri Boria Atung (TGT) S/o Boria Sirum, Mob Village (Lenka), P.O./P.S- Balijan, Papum Pare District, Arunachal Pradesh.
- 3) Shri Tapu Soki (TGT) C/o Smt. Yater Belo, Lab Assistant, PHED Sinki View Itanagar P.O./P.S- Itanagar, Papum Pare District, Arunachal Pradesh.

- 4) Miss Julli Dagaim, C/o- DDSE Office Daporijo, P.O./P.S- Daporijo, Upper Subansiri District, Arunachal Pradesh.
- 5) Shri Kode Mengnia Dabu, Village Mengnia, P.O./P.S- Daporijo, Upper Subansiri District, Arunachal Pradesh.
- 6) Miss Sunita Leriak, Village Leriak, P.O./P.S- Daporijo, Upper Subansiri District, Arunachal Pradesh.
- 7) Miss Angam Bulo, C/o- Medical Superintendent, District Hospital Daporijo, P.O./P.S- Daporijo, Upper Subansiri District, Arunachal Pradesh.
- 8) Shri Giamsal Dubi, C/o- DDSE Office Daporijo, P.O./P.S- Daporijo, Upper Subansiri District, Arunachal Pradesh.
- 9) Shri Tana Motu, C/o- DDSE Office Daporijo, P.O./P.S- Daporijo, Upper Subansiri District, Arunachal Pradesh.
- 10) Shri Kakum Maro, C/o- Head Master, Govt. Secondary School Sikarijo Daporijo, P.O./P.S- Daporijo, Upper Subansiri District, Arunachal Pradesh.
- 11) Shri Jumman Riba, C/o- DDSE Office Daporijo, P.O./P.S- Daporijo, Upper Subansiri District, Arunachal Pradesh.
- 12) Miss Anu Nayam, Village -Nayam C/o- DDSE Office Daporijo, P.O./P.S- Taliha, Upper Subansiri District, Arunachal Pradesh.
- 13) Miss Utu Pertin, Village- Remi, P.O./P.S- Dambuk, Lower Dibang Valley District, Arunachal Pradesh.
- 14) Shri Rai Kabak, Vill- Rai, P.O.-Chambang, P.S- Palin , Kra Dadi District, Arunachal Pradesh.
- 15) Miss Hovili Sema, C/o- Head Master. Govt. Middle School Model Village, DDSE Capital Complex, P.O./P.S- Naharlagun, Papum Pare District, Arunachal Pradesh.
- 16) Miss Tana Mompaa, C/o- Tana Tem, Village- Midpu-II P.O./P.S Doimukh, Papum Pare District, Arunachal Pradesh.

- 17) Miss Debia Jirnia, C/o- Nich Tado, Yupia Division (RWD) Papum Pare District, Arunachal Pradesh.
- 18) Miss Kara Ramiyo, C/o- Rab Kara Dani, Village- I Nrijuli near Urban Shopping Complex, P.O./P.S- Nirjuli, Papum Pare District, Arunachal Pradesh.
- 19) Miss Gyati Dumi, O/o- DDSE Capital Complex, P.O./P.S- Itanagar, Papum Pare District, Arunachal Pradesh.
- 20) Shri Dana Tayang, C/o- M/S Taku Omo Store near Airfield Gate, Old Ziro, P.O./P.S- Ziro, Lower Subansiri District, Arunachal Pradesh.
- 21) Miss Tasso Nampi, C/o- Mudo Dumi M.T.M B.ED College Ziro, P.O./P.S- Ziro, Lower Subansiri District, Arunachal Pradesh.
- 22) Shri Narang Taki, District Tuberculosis Officer, P.O./P.S- Ziro, Lower Subansiri District, Arunachal Pradesh.
- 23) Miss Radhe Yam, C/o- Elora Studio Opposite Post Office Hapoli, Ziro P.O./P.S- Hapoli, Lower Subansiri District, Arunachal Pradesh.
- 24) Miss Punyo Seema, C/o- Rubu Meena, Directorate of Agriculture, Naharlagun, Papum Pare District, Arunachal Pradesh.
- 25) Miss Mowshmi Borgohain, C/o Smt ChenimaiBorgohain L.D.C. DC Office Ziro, Lower Subansiri District, Arunachal Pradesh.
- 26) Miss Koj Sunku C/o Koj Taki Type-II QTR NO- 67 NERIST, P.O/P.S- Nirjuli, Papum Pare District, Arunachal Pradesh.
- 27) Miss Mirik Pertin C/o DDSE Roing, P.O/P.S- Roing, Lower Dibang Valley District, Arunachal Pradesh.
- 28) Miss Rubu Rinyo C/o Rubu Meena Directorate of Agriculture, Naharlagun, Papum Pare District, Arunachal Pradesh.
- 29) Shri Tager Chader Vill-Gumsing, P.O, Taking P.S.- Nacho, Upper Subansiri District, Arunachal Pradesh.

- 30) Miss Zeamy Taba C/o Head Master. Govt. Middle School, Kankar Nalla, Papum Pare District, Arunachal Pradesh.
- 31) Shri Nabam Kako Hina C/o Techi Nimpu Nabam Capital Electrical Division, Deptt. Of power, Govt. of A.P. P.O.- R.K. Mission, P.S.- Itanagar, Papum Pare District, Arunachal Pradesh.
- 32) Shri Nido Terin C/o Er. Nido Taka , E.E. Capital Electrical Division, Deptt. Of power, Govt. of A.P. P.O.- R.K. Mission, P.S.- Itanagar, Papum Pare District, Arunachal Pradesh.
- 33) Shri John Taksing F- Sector Naharlagun. P.O/P.S- Naharlagun, Papumpare District, Arunachal Pradesh.
- 34) Shri Tagru Apa ESS Sector, I.G. Park P.O/P.S-Itanagar, Papum pare District, Arunachal Pradesh.
- 35) Smt. Techi Dojum (Riba) C/o Head Maser I/C. Govt. Primary School Dobom Village, DDSE Capital Complex, P.O- Karsingsa, P.S- Banderdewa, Papum Pare District, Arunachal Pradesh.
- 36) Shri Mejum Potom Vill-Potom Desi P.O-Darak, P.S-Kamba, West Siang District, Arunachal Pradesh.
- 37) Shri Ombu Mosu Vill-Mosu, P.O/P.S- Siyum, Upper Subansiri District, Arunachal Pradesh.
- 38) Smt. Mum Borang Vill- Bilat Bamin ,P.O-Bilat, P.S- Ruksin, East Siang Disrict, Arunachal Pradesh.
- 39) Smt. Mamang Lego C/o DDSE Roing, Lower Dibang Valley District, Arunachal Pradesh.
- 40) Smt. Lek Tayeng C/o DDSE Roing, Lower Dibang Valley District, Arunachal Pradesh.
- 41) Smti. Yanung Gao C/o DDSE Roing, Lower Dibang Valley District, Arunachal Pradesh.
- 42) Miss Bobby Yame C/o Shri Nondo Doka, Industies Department Office, Seppa, East Kameng District District , Arunachal Pradesh.

- 43) Shri Tamu Natung O/o- DDSE Seppa, East Kameng District, Arunachal Pradesh.
- 44) Miss Meni Welly O/o. Bomdila, P.O/P.S- Bomdila ,West Kameng District , Arunachal Pradesh.
- 45) Miss Fema Taku C/o Shri Khoda Beyong Tyre-I Colony P.O/P.S- Seppa, East Kameng District, Arunachal Pradesh.
- 46) Miss Tage Dumi C/o Tage Pugang Govt. Model Cellege Seppa , P.S.-Seppa, P.O/P.S- East Kameng District, Arunachal Pradesh.
- 47) Miss Yalam Rieng Tyre-III, Forest Colony, Seppa P.O/P.S-Seppa, East Kameng District, Arunachal Pradesh.
- 48) Smti Parvoty Megu O/o DDSE Seppa, P.O-Seppa, East Kameng District, Arunachal Pradesh.
- 49) Smti Toklak Tayeng Vill-Parlong, Seijpose, P.O/P.S-Seppa, East Kameng District, Arunachal Pradesh.
- 50) Smti Tam Perme O/o DDSE Seppa, P.O/P.S- Seppa, East Kameng District, Arunachal Pradesh.
- 51) Smti Mum Borang C/o Head Master I/C, Govt. Residential School Nere, DDSE Seppa, P.O/P.S- Seppa, East Kameng District, Arunachal Pradesh.
- 52) Miss Meena Tachang Seijosa, P.O/P.S- Seppa, East Kameng District, Arunachal Pradesh.
- 53) Miss Rupa Hissang C/o Dilip Tayum, Vill-Darlong, East Kameng District, Arunachal Pradesh.
- 54) Shri Gichik Tanang C/o Smti Dari Yasing, h-sector, T-III Quarter No. D-23 P.O/P.S-Koloriang, Kurung Kumey District, Arunachal Pradesh.
- 55) Shri Topa Riba C/o Head Master I/C, Govt. Residential School Sigi Gisar, P.O/P.S-Dumporijo, Upper Subansiri District, Arunachal Pradesh.

- 56) Miss Nangram Siku Vill-Taping, P.O/P.S-Koloriang Kurung Kumey District, Arunachal Pradesh.
- 57) Smti Nanding Mope C/o Head Master, Govt. Primary School Pato.
- 58) Shri Biri Tayum C/o- Tadar Nimey, NIT Office Yupia, Papum Pare District, Arunachal Pradesh.
- 59) Shri Rigio Rasi C/o Head Master, Govt. Upper Primary School Nyobia, Tali. P.O/P.S-Kra-Dadi District, Arunachal Pradesh.
- 60) Shri Marging Taka C/o Nabam Rita, Govt. Middle School Jullang, P.O.-R.K Mission, P.S-Itanagar, Papum Pare District, Arunachal Pradesh.
- 61) Shri India Megu O/o DDSE Pasighat East Siang District, Arunachal Pradesh.
- 62) Smti Rasel Saring C/o Tomar Basar, Good Health Clinic, Opposite TRSH, Naharlagun, P.O/P.S- Naharlagun, Papum Pare District, Arunachal Pradesh.
- 63) Miss Padi Baby C/o – Padi Grayu Near Electric Deptt. Old Ziro, P.O/P.S- Ziro, Lower Subansiri District, Arunachal Pradesh.
- 64) Shri Natung Doka O/o- DDSE Seppa, P.O/P.S- Seppa, East Kameng District, Arunachal Pradesh.
- 65) Miss Sunita Marbom, C/o Head Master of Government Middle School, Kare DDSE-Daporijo. P.O/P.S-Daporijo, Upper Subansiri District, Arunachal Pradesh.
- 66) Miss Reena Eru, C/o Head Master I/C Government Primary School, Eru DDSE-Daporijo. P.O/P.S-Daporijo, Upper Subansiri District, Arunachal Pradesh.
- 67) Shri Tangam Raba, Head Master Government I.V School Raga, DDSE- Daporijo. P.O/P.S-Daporijo, Upper Subansiri District, Arunachal Pradesh.

- 68) Miss Yaso Natam C/o Head Master I/C Government Middle School, DDSE-Daporijo. P.O/P.S-Daporijo, Upper Subansiri District, Arunachal Pradesh.
- 69) Miss Mania Chader, Head Master of Government Middle School, Taksing DDSE-Daporijo. P.O/P.S-Daporijo, Upper Subansiri District, Arunachal Pradesh.
- 70) Shri Kabak Pacha, C/o Head Master i/c ,Government Primary School, Pega Pada. P.O/P.S- District, Arunachal Pradesh.
- 71) Shri Rakesh Lazi, C/o Head Master i/c, Government Primary School, Rono, Doimukh, P.O/P.S- Doimukh, Papum Pare District, Arunachal Pradesh.
- 72) Shri Nani Rakesh, C/o Head Master i/c, Government Secondary School ,Hapoli. P.O./P.S- Lower Subansiri District, Arunachal Pradesh.
- 73) Miss Punyo Jora Usha, C/o Head Master I/C Government Primary School ,Gyai, P.O./P.S- Hapoli Lower Subansiri District, Arunachal Pradesh.
- 74) Shri Teshi Boda, C/o Principal Govt. Higher Secondary School Boa Simla. P.O./P.S- Boa Simla Upper Subansiri District, Arunachal Pradesh.
- 75) Miss Nabam Merry Kara C/o Head Master I/C, Government Primary School Sangrik Doimukh,,P.O/P.S -Doimukh . Papum Pare District , Arunachal Pradesh.
- 76) Shri Nguri Heri C/o Head Master I/C, Government Primary School Meporo, Toru,P.O/P.S –Sagalee, Papum Pare District , Arunachal Pradesh.
- 77) Miss Santi Gashi Bagra C/o Head Master I/C,Upper Primary School Logum Jini, DDSE Aalo P.O/S- Aalo West Siang District , Arunachal Pradesh.
- 78) Smt. Kipa Lungbey C/o Head Master I/C, Govt. Primary School Niya- Namching, DDSE , Papum Pare District , Arunachal Pradesh.

- 79) Miss Yang Tayeng, C/o Head Master I/C, Govt. Primary School Loiliang , Anjaw District Papumpare, Arunachal Pradesh.
- 80) Shri Doffa Dodum, C/o Head Master, Govt. Middle School Type-II Seppa, DDSE Seppa, East Kameng District Arunachal Pradesh.
- 81) Miss Feyam Liyak, C/o Head Master, Govt. Middle School, Shantipur, DDSE Seppa, East Kameng District, Arunachal Pradesh.
- 82) Miss Mebing Taku, C/o Head Master, Govt. Middle School, Bosso, DDSE Seppa, East Kameng District Arunachal Pradesh.
- 83) Miss Papuli Sonam C/o Head Master, Govt. Secondary School New Seppa, DDSE Seppa, East Kameng District Arunachal Pradesh.
- 84) Shri Sunday Tungi, C/o Head Master, Govt. Middle School Type-II Seppa, DDSE Seppa, East Kameng District Arunachal Pradesh.
- 85) Miss Meena Pordung, C/o Head Master, Govt. Middle School Type-II Seppa, DDSE Seppa, East Kameng District Arunachal Pradesh.
- 86) Miss Siti Tok, C/o Head Master, I/C, Govt. Primary School Kakukao, DDSE Seppa, East Kameng District Arunachal Pradesh.
- 87) Miss Koro Sonam, C/o Head Master, Govt. Middle School Shantipur, DDSE Seppa, East Kameng District Arunachal Pradesh.
- 88) Shri Gandhi Dada, C/o Head Master, Govt. Middle School Londa, DDSE Seppa, East Kameng District Arunachal Pradesh.
- 89) Miss Tana Neme, C/o Head Master, I/C, Govt. Primary, Toru, Sagalee, Papum pare District Arunachal Pradesh.
- 90) Miss Rashmi Tachang, C/o Head Master, Govt. Middle School Niti Darlong, DDSE Seppa, East Kameng District Arunachal Pradesh.
- 91) Miss Lize Paja, C/o Head Master, I/C, Govt. Primary School Markia, DDSE Daporijo, Upper Subansiri District, Arunachal Pradesh.
- 92) Shri Tajum Lusi Sera, C/o Head Master, I/C, Primary School Row Siyum, DDSE Daporijo, Upper Subansiri District, Arunachal Pradesh.

- 93) Shri Lobjong Dolo, C/o Head Master, Govt. Middle School Marjenle, DDSE Seppa, East Kameng District Arunachal Pradesh.
- 94) Miss Ravika Taku, C/o Head Master, Govt. Middle School Sebe, DDSE Seppa, East Kameng District Arunachal Pradesh.
- 95) Shri Huri Tanang, C/o Head Master, Govt. Middle School Damin, Kurung Kumey District Arunachal Pradesh.
- 96) Shri Sangha Tana C/o Head Master, I/C, Upper Primary School Langbang, Kurung Kumey District Arunachal Pradesh.
- 97) Miss Moni Chader C/o Head Master, Govt. Middle School Taksing, Upper Subansiri District Arunachal Pradesh.
- 98) Shri Abu Tallang, C/o Head Master, Govt. Secondary School Lumdong, DDSE Seppa, P.O./P.S.- Seppa, East Kameng District Arunachal Pradesh.
- 99) Miss Nabam Apang, C/o Head Master, Govt. Middle School Papu Nallah, Papum Pare District, Arunachal Pradesh.
- 100) Shri Tata Mara, C/o Head Master, Govt. Middle School Mara, DDSE Daporijo, Upper Subansiri District, Arunachal Pradesh.
- 101) Shri Tanya Nevha, C/o Head Master, Govt. Secondary School Rijo, DDSE Daporijo, P.O./P.S.- Daporijo, Upper Subansiri District, Arunachal Pradesh.
- 102) Miss Yaw Lungte (PWD) C/o Head Master, I/C, Govt. Primary School Luchi-Lute, DDSE Daporijo, Upper Subansiri District, Arunachal Pradesh.
- 103) Shri Hinium Takung, C/o-DDSE Koloriang, P.O./P.S.-Koloriang, Kurung Kumey District, Arunachal Pradesh.
- 104) Smt. Yane Ramsingh, C/o-DDSE Capital, P.O./P.S.-Itanagar, Papum Pare District, Arunachal Pradesh.
- 105) Miss Rita Ramsingh, C/o-DDSE Daporijo, Upper Subansiri District, Arunachal Pradesh.

- 106) Miss Likar Maro, C/o-DDSE Daporijo, Upper Subansiri District, Arunachal Pradesh.
- 107) Miss Anya Nyokir, C/o-DDSE Daporijo, Upper Subansiri District, Arunachal Pradesh.
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- 112) Smt. Tiyum Lego, C/o-DDSE Roing, Lower Dibang Valley District, Arunachal Pradesh.
- 113) Shri Kalung Tara, C/o-DDSE Ziro, Lower Subansiri District, Arunachal Pradesh.
- 114) Shri Padi Tamang, C/o-DDSE Ziro, Lower Subansiri District, Arunachal Pradesh.
- 115) Miss Nabam Meecha, C/o-DDSE Papum Pare, Yupia, Papum Pare District, Arunachal Pradesh.
- 116) Miss Nabam Rama, C/o-DDSE Capital, Papum Pare District, Arunachal Pradesh.
- 117) Shri Tech Sem, C/o-DDSE Papum Pare, Yupia, Papum Pare District, Arunachal Pradesh.
- 118) Shri Lod Tabi, C/o-DDSE Capital, Papum Pare District, Arunachal Pradesh.
- 119) Shri Tabu Marbom, C/o-DDSE Capital, Papum Pare District, Arunachal Pradesh.

- 120) Smti. Morium Riba, C/o-DDSE Daporijo, Upper Subansiri District, Arunachal Pradesh.
- 121) Shri Moyu Rangmo, C/o-DDSE Seppa, East Kameng District, Arunachal Pradesh.
- 122) Shri Tsering Jomoh, C/o-DDSE Seppa, East Kameng District, Arunachal Pradesh.
- 123) Shri Lallwangsangi Fanai, C/o-DDSE Seppa, East Kameng District, Arunachal Pradesh.
- 124) Miss Neelu Jomoh, C/o-DDSE Seppa, East Kameng District, Arunachal Pradesh.
- 125) Miss Suti Kino, C/o-DDSE Seppa, East Kameng District, Arunachal Pradesh.
- 126) Miss Kuma Pordung, C/o-DDSE Seppa, East Kameng District, Arunachal Pradesh.
- 127) Shri Byadi Gyadi, C/o-DDSE Seppa, East Kameng District, Arunachal Pradesh.
- 128) Miss Monica Cheda, C/o-DDSE Seppa, East Kameng District, Arunachal Pradesh.
- 129) Smti. Joymoti Bayang, C/o-DDSE Seppa, East Kameng District, Arunachal Pradesh.
- 130) Shri Teetap Tachang, C/o-DDSE Seppa, East Kameng District, Arunachal Pradesh.
- 131) Miss Kavita Natung, C/o-DDSE Seppa, East Kameng District, Arunachal Pradesh.
- 132) Miss Dani Ampu, C/o-DDSE Seppa, East Kameng District, Arunachal Pradesh.
- 133) Shri Dani Ado, C/o-DDSE Ziro, Lower Subansiri District, Arunachal Pradesh.

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135) Miss Ponung Padung, C/o-DDSE Roing, Lower Dibang Valley District, Arunachal Pradesh.

136) Miss K.Mami Mara, C/o-DDSE Dapoijo,P.O./P.S.- Daporijo, Upper Subansiri District, Arunachal Pradesh.

137) The State of Arunachal Pradesh represented by Chief Secretary, Govt. of Arunachal Pradesh, Itanagar.

138) The Secretary, Department of Education, Govt. of Arunachal Pradesh, Itanagar.

139) The Director, Department of Elementary Education, Govt. of Arunachal Pradesh

.....Writ petitioners/Opposite parties.

By Advocates:

Counsel for the Appellant:

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K. Loya
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M. Ete
R. Ngomle
B. Tasik
M. Ninu

Counsel for the Respondent/Opposite Party

Mr. P. K. Tiwari
M. Kato
T. Jamoh, SC (Education)

Date of Hearing : 11.05.2018

Date of Judgment : 18.05.2018.

::BEFORE::
THE HON'BLE MR JUSTICE KALYAN RAI SURANA

ORDER (CAV)

Heard Mr. N. Ratan, the learned Counsel for the applicant. Also heard Mr. P.K. Tiwari, the learned Senior Counsel, assisted by Mr. K. Saxena, the learned counsel for the Opp. Parties No.1 to 136. Mr. K. Ete, the learned Senior Addl. Advocate General for the State, assisted by Ms. R. Basar, Senior Govt. Advocate, appearing for the \opp. \parties No. 137 to 139 has also made his submissions.

2. By this application, the 98 applicants herein have prayed for impleading them as party respondents in the connected W.P.(C) No. 9 (AP)/ 2018. The application is being opposed by the Opp. Parties No.1 to 136 herein, who are the writ petitioners in the said connected writ petition.

3. The applicants claim that they are Trained Graduate Teachers ('TGT' for short) and Primary Teachers ('PRT' for short), and that they were appointed on contractual basis under Sarva Siksha Abhiyan ('SSA' for short) in the State of Arunachal Pradesh. It is claimed that the applicants are having the requisite qualification and that they are seniors to the Opp. Parties No. 1 to 136 herein and, as such, the applicants are having more eligibility than the Opp. Parties No.1 to 136 herein to be regularized in service under scheme initiated by the State. It is projected that the service of the Opp. Parties No.1 to 136 were illegally regularized by order dated 07.12.2017, as such, upon representation dated 20.12.2017, filed by the applicants before the Chief Minister of the State, the regularization of service of the Opp. Parties were withdrawn by order dated 21.12.2017. The said order dated 21.12.2017 has been challenged by the Opp. Parties No. 1 to 136 in the connected writ petition. Hence, the applicants, having common interest, seek their impleading in the said connected writ petition.

4. The learned Counsel for the applicants submit that under the scheme initiated by the State to regularize services of TGTs and PGTs, appointed under SSA, 122 posts were created by the State and that all appointments was supposed to be made on the basis of district-wise seniority. However, the State authorities had illegally regularized the services of the said 122 illegal appointees, as such, the applicants had submitted their representation dated 20.12.2017 before the Chief Minister of the State and accordingly, the regularization of 122 appointees were withdrawn by order dated 21.12.2017.

5. It is submitted that the illegality in the regularization is writ large on the face of the writ petition, where 136 writ petitioners had originally joined as writ petitioners and they had annexing their respective appointment letters and they had all claimed that their services had been regularized, notwithstanding that in so far as the State Govt. is concerned, they had regularized services of only 63 TGTs and 59 PRTs, i.e. 122 appointees. It is submitted that when the said discrepancy was exposed before this Court, on application made by some writ petitioners, the names of writ petitioners No. 63, 66, 70, 72, 73, 74, 77, 92, 93, 94, 98, 106, 107, 109, 113, 114, 133 were deleted, as such, now only 119 writ petitioners remain as petitioners in the connected writ petition. Nonetheless, the documents of appointment of all 136 original writ petitioners are on record in respect of 122 appointments made on paper.

6. It is submitted that the applicants had ventilated their grievance against the illegal regularization of the surviving Opp. Parties (119 writ petitioners left), and that their grievances had been duly redressed by withdrawing of the regularization orders of all the 122 illegal appointees. Hence, the applicants had no more reason to agitate their cause any further as they were expecting that the said posts would be duly filled-up in accordance with law. However, as the applicants have now come to know that the Opp. Parties had filed the connected writ petition. It is submitted that as the applicants have a better claim, the applicants seek their impleading as respondents with an intention to only apprise this Court about their better candidature for regularization before the case of the surviving Opp. Parties out of Respondents No. 1 to 136 can be considered by this Court in the connected writ

petition. Hence, it is submitted that this is a fit and proper case wherein this Court would allow the applicants to be impleaded in the connected writ petition.

7. The learned Counsel for the applicants submit that if the order dated 22.12.2017, impugned in the connected writ petition is interfered with, then the applicants would be the most affected party, as they would be deprived of their legitimate right as well as legitimate expectation to be considered for regularization because of their respective district-seniority over the Opp. Parties No. 1 to 136. In this connection, the learned Counsel for the applicants has referred to the seniority position of the applicants *vis-a-vis* the Opp. Parties No. 1 to 136 herein.

8. In support of his contentions, the learned counsel for the applicants has placed reliance on the case of *Poonam Vs. State of U.P., (2016) 2 SCC 779*.

9. Per contra, the learned Senior Counsel for the Opp. Parties submit that upon deletion of names of some writ petitioners, he is now instructed to submit in respect of 119 remaining writ petitioners in the connected writ petition, who are hereinafter referred to as "surviving Opp. Parties" for their easy identification. The learned Senior Counsel for the surviving Opp. Parties disputes that there is any common seniority list as sought to be projected by the learned Counsel for the applicants, but he submits that the district-wise seniority list on the basis of which the services of the 119 surviving Opp. Parties were regularized has been annexed as Annexure-5 to the connected writ petition, and it is further submitted that no one has challenged the said district-wise seniority list. It is submitted that the Govt. had regularized individual teachers by issuing separate orders and all the regularized appointees had joined their respective posts by separate joining reports and that the authorities had passed separate individual orders for withdrawing the order of regularization.

10. It is further submitted that as per information received by the surviving Opp. Parties, only the person arrayed as respondent No.18 in the connected writ petition had submitted a representation against the regularization of services of the surviving Opp. Parties, as such, the said party has been duly impleaded in the writ petition.

11. It is also submitted that neither the seniority list annexed to the writ petition has been challenged by anyone and nor the regularization orders of the Opp. Parties had ever been challenged before any Court. Moreover, it is submitted that the alleged seniority list produced by the applicants was not the basis on which the services of the surviving Opp. Parties had been regularized. Hence, it is submitted that in the writ petition filed by the surviving Opp. Parties, there is no way that any relief can be granted to the applicants, as the concept of a counter-claim is foreign in a writ proceeding under Article 226 of the Constitution of India. It is submitted that if the applicants are canvassing their case by claiming regularization of service, then the applicants must file and sustain their separate writ petition, but the applicants cannot be permitted to be impleaded in the connected writ petition and change the boundaries and contours of the writ petition. Hence, it is submitted that as per the nature of challenge made in the writ petition, the applicants herein are neither proper nor a necessary parties in the connected writ petition and the surviving Opp. Parties cannot be compelled to implead unnecessary parties in the writ petition against whom they are not claiming any relief. It is submitted that the connected writ petition can be effectively adjudicated and decided even in the absence of the applicants as the surviving Opp. Parties are only assailing the respective orders by which their respective regularizations were withdrawn.

12. In support of this contention, the learned Senior Counsel for the surviving Opp. Parties has placed reliance on the case of (i) *Mumbai International Airport Pvt. Ltd. Vs. Regency Convention Centre And Hotels Pvt. Ltd. & Ors.*, (2010) 7 SCC 417, and (ii) *Bhagwati Vs. Custodian General & Anr.*, AIR 1976 J&K 29: (19750 0 Supreme(J&K) 27.

13. The learned Senior Addl. Advocate General for the State has submitted that his submissions is only to clarify that the allegation of illegal gratification against a section of govt. officials is the subject matter of vigilance enquiry and that the orders withdrawing regularization was passed as the due process of regularization was not followed, as such, the authorities are looking in the matter.

14. At the outset in order to understand the ratio laid down in the case of *Poonam (supra)*, the facts are revisited. In the said case, the 5th Respondent therein was running a fair price shop at shop No.2 in Gram Sabha Ardauna, allotted to him on 11.05.2001. In enquiry about non-distribution/ improper distribution of fair price commodities, enquiry was made by the Deputy Commissioner concerned. As per order dated 03.06.2007, it was recorded that the shop of the 5th Respondent was attached to another shop being run by one Bhupendra Singh, to whom charge was handed over on 19.07.2008. Thereafter, the competent authority had cancelled the allotment of Respondent No.5. While the 5th respondent had preferred an appeal, the appellant i.e. Poonam had got herself impleaded in the said appeal on the ground that the shop No. 2 was allotted to her. In the meanwhile, the appeal was allowed and the appellate authority had restored the status of the 5th respondent. The order was challenged by the appellant i.e. Poonam by filing CMWP No. 16390 of 2012 before the High Court. The High Court dismissed the writ petition on the ground that she had no right to maintain a challenge on being the subsequent allottee. After discussing the law relating to impleading of necessary parties, the Hon'ble Supreme Court had dismissed the appeal. In the process, it was held in paragraph 53 as follows:-

"53] We have referred to the said decision in Ramesh Hirachand case [(1992) 2 SCC 524] in extenso as there is emphasis on curtailment of legal right. The question to be posed is whether there is curtailment or extinction of a legal right of the appellant. The writ petitioner before the High Court was trying to establish her right in an independent manner, that is, she has an independent legal right. It is extremely difficult to hold that she has an independent legal right. It was the first allottee who could have continued in law, if his licence would not have been cancelled. He was entitled in law to prosecute his cause of action and restore his legal right. Restoration of the legal right is pivotal and the prime mover. The eclipse being over, he has to come back to the same position. His right gets revived and that revival of the right cannot be dented by the third party."

15. It would be now relevant to quote paragraph 52 of the case of *Poonam (supra)*:-

"52] This Court referred to the authority in *Razia Begum v. Anwar Begum* and came to hold that there is a clear distinction between suits relating to property and those suits in which the subject-matter of litigation is a declaration as regards status or legal character. The Court observed that in the former category, the rule of personal interest is distinguished from the commercial interest which is required to be shown before a person may be added as a party and accordingly held:

14. ... The only reason which makes it necessary to make a person a party to an action is so that he should be bound by the result of the action and the question to be settled, therefore, must be a question in the action which cannot be effectually and completely settled unless he is a party. The line has been drawn on a wider construction of the rule between the direct interest or the legal interest and commercial interest. It is, therefore, necessary that the person must be directly or legally interested in the action in the answer i.e. he can say that the litigation may lead to a result which will affect him legally, that is, by curtailing his legal rights."

16. Thus, under the facts of the present case in hand, the case of *Poonam (supra)* does not appear to help the applicant in any way, because in the instant case, the applicants have approached this Court when their regularization of service was withdrawn and, as such, this Court is of the opinion that as the concluded right of the applicant has not yet been declared, it would mean as if in the connected writ petition, the applicants would be seeking enforcement of their purported right. In the opinion of this Court, in light of the judgment rendered by the Hon'ble Supreme Court in the case of *Poonam (supra)*, the real test to decide if the applicants are required to be impleaded as respondents in the connected W.P.(C) No. 9(AP)/2018 is whether the applicants would be bound to the result of the said writ petition.

17. In the said context, it is seen that assuming that it was by virtue of the joint representation dated 20.12.2017, which is referred to by the applicant, the order dated 21.12.2017 was passed for withdrawing the regularization of service of the surviving Opp. Parties, the said representation is signed by only 15 persons. On a perusal of the said representation, it is seen that the first complainant was one Baro Pertin, the second complainant was one Tamo Jamoh, and one Bompi Basar

was the eleventh complainant therein, but none of them have joined as the applicants in this application. Hence, it is evident that not all the complainants have approached this Court and reversely, all the applicants are also not the complainants in letter dated 20.12.2017. From the various orders dated 21.12.2017, withdrawing the regularization of the surviving Opp. Parties, it is not discernible whether such orders were passed on the basis of the complaint made by 15 complainants. Moreover, in the opinion of this Court, it is too well settled that the applicants, even after getting themselves impleaded in the connected writ petition, cannot seek any relief in the writ petition filed by the surviving Opp. Parties. Therefore, assuming that the result of the said writ petition will not be favourable to the applicants, being not a party to the writ petition, in the opinion of this Court, the applicants would not be bound by the said order and they would have a right to make a claim for the regularization of their respective services on their own respective merit. Furthermore, if in course of regularization, the applicants are superseded by any of the surviving Opp. Parties, there would also be no impediment for the applicants to challenge such appointment.

18. Therefore, if the applicants have any ground to agitate their cause, at best their case would be that despite their seniority, their claim was not considered, which would be violative of Article 16 of the Constitution of India. In the present case, it is seen that the surviving Opp. Parties have not staked their claim on the basis of district- wise seniority, but they are challenging the legality of various orders dated 21.12.2017, by which the order of their regularization was withdrawn. This Court does not find that the applicants have any right to stake their own claim in the writ petition filed by the surviving Opp. Parties.

19. Thus, while, the applicants may pray to address this Court as interveners to address this Court on the issue of law that may arise in this case, but this is not found to be a fit case where the applicants can be allowed to be impleaded as respondents and thereby change the nature, character and contours of the writ petition, where the Opp. Parties are only challenging the legality of various orders dated 21.12.2017, by which the order of the regularization of their services were withdrawn. Alternatively, the applicants have every right to agitate their grievance

by filing another writ petition, if so advised, and a prayer can be made therein for analogous hearing with the present writ petition.

20. There is yet another way to view the application of the applicants, which is whether the rights of the applicants have been declared to be district –wise senior to the surviving Opp. Parties. The answer to the question would be an emphatic no because, while the applicants are claiming seniority on the basis of a seniority list. The learned Senior Counsel for the surviving Opp. Parties deny that their regularization was not done on the basis of the seniority list allegedly produced by the applicants in this application, as such, in the opinion of this Court, unless the right of the applicant was well established, the applicants cannot be permitted to change the boundaries and contours of the writ petition filed by the surviving Opp. Parties and to decide the respective rights of the parties. Moreover, no materials has been placed before this Court to show that the concept of a counter-claim within the meaning of Order VIII Rule 6A of Civil Procedure Code can be invoked also in a writ proceeding. Therefore, when the writ court cannot decide the respective rights of the applicants herein if they are permitted to be impleaded as respondents, under such circumstances, the impleading of the applicants in the writ petition cannot be permitted.

21. As a result, this application fails. While this Court disallows the impleading of the applicants as respondents in W.P.(C) 9(AP)/2018, it would be open to them to pray before this Court to allow the applicants assist this Court merely as interveners, if so advised. It will be needless to mention, that it would be open to the applicants to file a separate writ petition to agitate their cause separately, if so advised.

22. This IA stands dismissed. The parties are left to bear their own cost.

JUDGE

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