GAHC040010742025

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

Case No. : WP(C)/293/2025

Miss Karjum Bam
Daughter of Markar Bam, resident of Kadi Village, PO and PS Basasr, Leparada District, Arunachal Pradesh 791101 and presently posted at PWD Kaying Sub-Division, Siang District, Arunachal Pradesh as WC Mali.

VERSUS

The State of AP and 4 Ors
represented by Chief Secretary, Govt of Arunachal Pradesh 791111 2:The Principal Secretary PWD
Age: 0
Occupation :
Civil Secretariat
Itanagar
Govt of Arunachal Pradesh 791111

3:The Chief Engineer
Age: 0
Occupation :
PWD Central Zone B
Pasighat
East Siang District
Govt of Arunachal Pradesh 791102

4:The Superintending Engineer
Age: 0
Occupation :
PWD Boelng Circle
Siang District
Boleng
PO and PS Boleng
Arunachal Pradesh 791102

5:The Executive Engineer

Age: 0
Occupation :
PWD Rumgong Division
Siang District
PO and PS Rumgong
Arunachal Pradesh 79100

Advocate for the Petitioner : Reken Ingo, Dani Rieyang,Sonam Tsomo,Kipa Yabi,Jumken Ete,Aruna Rai,S D Loda
Advocate for the Respondent : GA (AP),

BEFORE

HON'BLE MR. JUSTICE NELSON SAILO

O R D E R

12.10.2026

Heard Mr. R. Ingo, learned counsel for the petitioner and Ms. G. Ete, learned Additional Senior Government Advocate for the respondents.

2. The case of the petitioner in brief is that she was engaged as a Casual Worker under the Executive Engineer, Boleng Division, PWD vide office order dated 28.05.2019 (Annexure-I) and upon joining as such, she was getting a monthly remuneration of Rs.11,000/- (Rupees eleven thousand) per month. Subsequently, with the approval of the constituted Departmental Promotion Committee, the petitioner was appointed as a Work Charge Mali on temporary basis in the scale of pay level-1 i.e. Rs.5,200/- - 20,200/-+1800 (GP) plus other allowances as admissible under Rules vide order dated 28.05.2021 (Annexure-II). The petitioner was then posted under the establishment of Executive Engineer, Boleng Division and she submitted her Joining Report on 01.06.2021.

3. The petitioner thereafter was transferred and posted under the establishment of the Executive Engineer, Rumgong PWD Division with immediate effect vide office order dated 22.07.2021. Although the

petitioner was released from Boleng PWD Division to enable her to join the office of the Executive Engineer, Rumgong Division on 24.07.2021, the petitioner was re-posted from Rumgong Division to the establishment of Assistant Engineer, Kaying Sub-Division, PWD vide office order dated 26.07.2021 (Annexure-IV) and the petitioner submitted her Joining Report on 27.07.2021 stating that she has joined for duty on that day. According to the petitioner, on account of her health condition and various ailments she was suffering, she could not attend the office at Kaying Sub-Division, PWD from 28.07.2021. After taking various medical treatment, she finally regained her health and she submitted her Joining Report before the Assistant Engineer, Kaying Sub-Division, PWD on 24.10.2024 (Annexure-VI). However, despite the same, her Joining Report has not been accepted by the said authority, but it is the case of the petitioner that she has been regularly attending the office.

4. Learned counsel for the petitioner submits that despite the services of the petitioner being utilized by the respondent authorities, her Joining Report has not been accepted and that she has not been given her salary since the date she submitted her Joining Report. He submits that the petitioner had informed about her ailment to her controlling authorities over phone and that in view of her medical condition, she could not report for work for a long time. However, after the petitioner has regained her health, she submitted her Joining Report on 24.10.2024, but the same was not accepted and therefore, the petitioner being aggrieved is before this Court. Learned counsel for the petitioner therefore, submits that the respondent authorities may be directed to accepted the Joining Report of the petitioner and allow the petitioner to join in her post and pay her

dues.

5. Ms. G. Ete, learned Additional Senior Government Advocate submits that the petitioner after submitting her Joining Report to the Assistant Engineer, Kaying Sub-Division, PWD on 27.07.2021, failed to report for duty from the next day onwards. She also submits that the claim of the petitioner that despite not accepting her Joining Report, she has been rendering her services is highly improbable. The petitioner was absent from work for around 03 (three) years without the approval of the competent authority and under the circumstances, she cannot expect the authorities to accept her back in the office. She therefore, submits that the writ petition is without any merit and same should be dismissed.

6. I have heard the submissions made by the learned counsels for the rival parties and perused the materials available on record.

7. The facts have already been projected in the preceding paragraphs and they are not being repeated for the sake of brevity. The admitted position is that after the petitioner submitted her Joining Report on 27.07.2021 to the Assistant Engineer, Kaying Sub-Division, PWD, she remained absent from the next day onwards as per her own admission. The reason for her absence was on account of her ill health. Although she has not taken any formal permission from the respondent authorities, but according to her, she had informed her controlling authority. She then submitted her Joining Report after regaining her health on 24.10.2024 before the Assistant Engineer, Kaying Sub-Division, PWD stating that she has come back to join her duties and that she could not attend the office due to her prolonged illness. The Joining Report of the petitioner has not been accepted and at the same time it is also seen that the respondent

authorities has not issued her any show cause notice or terminated her from service. It is further seen that the Assistant Engineer, Kaying Sub-Division, PWD on 20.04.2026 had forwarded the application submitted by the petitioner with regard to release of her monthly salary and with regard of acceptance of her Joining Report to the Executive Engineer, PWD, Division Rumgong, Siang district. The said document goes to show that the respondent authorities concerned have received the Joining Report submitted by the petitioner including the application for release of her pay. In the absence of any materials on record to show that a decision has been taken by the respondent authority concerned with regard to the absence of the petitioner and payment of her salary, this Court is of the considered view that the respondent authority concerned should consider and take a decision in the matter.

8. Accordingly, the writ petition is disposed of by directing the Executive Engineer, PWD Division, Rumgong (respondent No.5) to consider the application submitted by the petitioner with regard to release of her monthly salary and acceptance of her Joining Report by passing a speaking and reasoned order within a period of one month from the date of receipt of a certified copy of this order.

9. With the above observations and direction, this writ petition stands disposed of.

JUDGE

Comparing Assistant