

GAHC020007182023



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

**Case No. : WP(C)/317/2023**

SHRI KEZHALESA KUOTSU AND 14 ORS  
S/O KEDORU KUOTSU  
R/O CHUMOUKEDIMA WARD NO 1, NAGALAND

2: SHRI NEWTON ZHIMOMI  
S/O HOVITO  
R/O A.G. COLONY  
KOHIMA

3: SHRI KEKHRIESILIE RICHA  
S/O KECHAVILIE RICHA  
R/O CHUMOUKEDIMA WARD 2 NAGALAND

4: SHRI KIHEUKIGUMBE RIAME  
D/O RAMDAND  
R/O CHUMOUKEDIMA WARD NO. 7  
NAGALAND

5: SHRI NGAMPAI L KONYAK  
S/O W. LEMWANG KONYAK  
R/O CHUMOUKEDIMA WARD NO. 7  
NAGALAND

6: SHRI BENRITHUNG NGULLIE  
S/O T A NGULLIE  
R/O CHUMOUKEDIMA WARD NO. 7  
NAGALAND

7: SHRI DZIESELHOUTUO  
S/O LT. THEYIESAE NIENU  
R/O CHUMOUKEDIMA WARD NO. 9  
NAGALAND

8: SMTI MHONCHUMI Y TSANGLAO

D/O YANBENTHUNG  
R/O CHUMOUKEDIMA WARD NO. 6  
NAGALAND

9: SHRI T YONGSEBA SANGTAM  
S/O TINGBISE SANGTAM  
R/O CHUMOUKEDIMA WARD NO. 1  
NAGALAND

10: SHRI KEZHAWELIE RICHA  
R/O CHUMOUKEDIMA WARD NO. 2  
NAGALAND

11: SHRI R. HAYITHUNG NGULLIE  
S/O RENBENMO NGULLIE  
R/O CHUMOUKEDIMA WARD NO. 7  
NAGALAND

12: SHRI SUNGJEMINBA  
R/O CHUMOUKEDIMA WARD NO. 7  
NAGALAND

13: SHRI MUKAM  
R/O CHUMOUKEDIMA WARD NO. 9  
NAGALAND

14: SHRI IMKONGNOKTANG  
S/O IMLIAKUM  
R/O CHUMOUKEDIMA WARD NO. 7  
NAGALAND

15: SHRI EPOVEYI TETSEO  
S/O VESUTO TETSEO  
R/O CHUMOUKEDIMA WARD NO. 6  
NAGALAN

VERSUS

THE STATE OF NAGALAND AND 44 ORS  
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF NAGALAND  
2:THE HOME COMMISSIONER  
NAGALAND KOHIMA

3:THE DGP  
NAGALAND KOHIMA

4:DY. INSPECTOR OF POLICE (HQ)  
NAGALAND KOHIMA

5:DIRECTOR GENERAL  
HOME GUARD AND CIVIL DEFENCE  
NAGALAND KOHIMA

6:SHRI IMCHALONG  
ASI  
O/O SUPERINTENDENT OF POLICE-MOKOKCHUNG

7:SMTI ZHABOUNUO  
ASI  
O/O SUPERINTENDENT OF POLICE- KOHIMA

8:SHRI KAKUM OZUKUM  
ASI  
PHQ KOHIMA

9:ER JAMES KIKON  
UBSI  
PHQ KOHIMA

10:SHRI BENJAMIN KIKON  
ASI (GD)  
DEF  
MOKOKCHUNG

11:SHRI PANGNAN KONYAK  
UBSI  
O/O SUPERINTENDENT OF POLICE- MON

12:SHRI IKATO N AYEMI  
ASI  
O/O COMMISSIONER OF POLICE  
DIMAPUR

13:SHRI VIKATO ACHUMI  
ASI  
O/O SUPERINTENDENT OF POLICE-ZUNHEBOTO

14:SHRI ATING KONYAK Y  
ASI  
DEF MON

15:SHRI HEVI KINIMI  
ASI  
DEF ZUNHEBOTO

16:SHRI CHUBANUNGBA

UBSI  
DEF WOKHA

17:SHRI ARON  
ASI  
DEF TUENSANG

18:SHRI YANGPOTHUNG EZUNG  
ASI  
DEF MON

19:SMTI LITHUNGBENI PATTON  
ASI  
DEF WOKHA

20:SHRI KITОВI YEPTHO  
ASI  
PHQ KOHIMA

21:SHRI WOBENTHUNG ODYOU  
ASI  
IGP (INT)

22:SMTI SACHUMLO KIKON  
ASI  
DEF KOHIMA

23:SMTI. SENBEN K SHITIO  
UBSI  
DEF MON

24:SMTI VENUS KIKON  
ASI  
DEF MON

25:SHRI KAKUGHA T JAKHA  
ASI  
DEF KIPHIRE

26:SHRI SATAMKAVA PHOM  
ASI  
DEF TUENSANG

27:SHRI CHUMBEN KIKON  
UBSI  
DEF LONGLENG

28:SHRI NZANTHUNG W SHITIRI

ASI  
IGP (INT)

29:SHRI EYINGO N PATTON  
UBSI  
IGP (INT)

30:SHRI Y. SULANTHUNG ODYUO  
ASI  
IGP(INT)

31:SHRI MHONYAMO N ODYUO  
UBSI  
DEF WOKHA

32:SHRI WILLIAM LOTHAN  
UBSI  
IGP (INT)

33:SHRI ENDILONG LONGKUMER  
UBSI  
DEF MOKOKCHUNG

34:SHRI SUNTHUNGO R PATTON  
UBSI  
DEF MON

35:SHRI CHUMREMO J NGULLIE  
ASI  
DEF TUENSANG

36:SHRI E SOTHUNGO MURRY  
ASI  
DEF MOKOKCHUNG

37:SHRI HETOKA CHOPHI  
ASI  
DEF TUENSANG

38:SHRI S LIPENTHUNG EZUNG  
ASI  
DEF MON

39:SHRI IMLITEMSU  
UBSI  
DEF TUENSANG

40:SMTI KHRIEVONO

ASI  
DEF KIPHIRE

41:SHRI LIPOKRI LONGCHARI  
UBSI  
PHQ KOHIMA

42:SHRI T AKABA AIER  
SI  
DISTRICT COMMANDANT HOME GUARD AND CIVIL DEFENCE  
TUENSANG

43:SHRI. TINGKAM KONYAK  
SI  
SIDTRICT COMMANDANT HOME GUARD AND CIVIL DEFENCE  
ZUNHEBOTO

44:SHRI VIBOTO H SUMI  
SI  
DISTRICT COMMANDANT HOME GUARD AND CIVIL DEFENCE  
PHEK

45:SHRI KENEILEKHO SOPHIE (INSTRUCTOR HAVALDAR)  
CEBTRAL TRAINING INSTITUTE  
HOME GUARD AND CIVIL DEFENC

**Advocate for the Petitioner** : Z. ZHIMOMI, TOSHI O. LONGKUMER,S K  
ACHUMI,ABEL AYEMI,T. SHANGCHIU

**Advocate for the Respondent** : GOVT ADV NL,

**BEFORE**  
**HON'BLE MR. JUSTICE DEVASHIS BARUAH**

**JUDGEMENT & ORDER**

**26.09.2024**

Heard Ms. Z. Zhimoni, learned counsel assisted by Mr. Toshi O. Longkumer and Mr. Abel Ayemi, learned counsel for the petitioners; Mr. L.T. Sangtam, learned Additional Advocate General, Nagaland along with Mr. V. Zhimomi, learned Government Advocate, Nagaland for the respondent no. 1; Mr. T.B. Jamir, learned counsel for the respondent nos. 2 to 5; and Mr. Tongpok

Pongener, learned counsel for the respondent nos. 6 to 45.

2. In this writ petition, the petitioners, 15 [fifteen] in nos., have assailed the appointments made in favour of the respondent nos. 6 to 45 as Sub-Inspector of Police [SI]/Unarmed Branch Sub-Inspector of Police [UBSI]/Assistant Sub-Inspector of Police [ASI]/Instructor Havildar in Nagaland Police by the State respondent authorities on different dates in the years 2019 and 2020, vide Orders of Appointment, annexed as Annexure-B to Annexure-B-37 to the writ petition.

3. The main ground to assail the Orders of Appointments of the respondent nos. 6 to 45 is that the State respondent authorities had appointed the respondent nos. 6 to 45 without undertaking any valid process of recruitment and without publication of any kind of advertisement. It is the case of the petitioners that they are unemployed indigenous youth and are eligible to participate in a recruitment process undertaken as per the recruitment rules framed for Sub-Inspector of Police [SI]/Unarmed Branch Sub-Inspector of Police [UBSI]/Assistant Sub-Inspector of Police [ASI]/Instructor Havildar. The petitioners have sought setting aside and quashing of the appointments of the respondent nos. 6 to 45 on the ground that their appointments were in complete violation of the principles embodied in Article 14 and Article 16 of the Constitution of India.

4. When this writ petition was listed on 19.09.2024, the writ petition was directed to be listed after disposal of a batch of writ petitions, W.P.[C] no. 189/2022 to W.P.[C] no. 199/2022, the judgment in respect of which was already reserved after conclusion of hearing. After disposal of the batch of writ petitions, W.P.[C] no. 189/2022 to W.P.[C] no. 199/2022 by a common Judgment and Order dated 20.09.2024, this writ petition is listed today for consideration.

5. Mr. Sangtam, learned Additional Advocate General, Nagaland representing the respondent no. 1 as well as Mr. Jamir, learned counsel

representing the respondent nos. 2 to 19 have submitted that no counter affidavit on behalf of the State respondents has been filed in this writ petition as in the batch of writ petitions involving similar issue, W.P.[C] no. 189/2022 to W.P.[C] no. 199/2022, a comprehensive affidavit-in-opposition on behalf of the State respondents was filed and the stands taken in the said comprehensive affidavit-in-opposition would also cover the issue involved in the instant writ petition. They have submitted that the said batch of writ petitions, W.P.[C] no. 189/2022 to W.P.[C] no. 199/2022 was disposed of by a common Judgment and Order dated 20.09.2024. They have also submitted that as there is no difference, in essence, between the facts and circumstances obtaining in the said batch of writ petitions, W.P.[C] no. 189/2022 to W.P.[C] no. 199/2022 and the present writ petition, the observations and directions made in the common Judgment and Order dated 20.09.2024 would also govern in this writ petition. The learned counsel for the respondent nos. 6 to 45 has also submitted in similar lines adopting the submissions of the learned State Counsel and no counter affidavit has been filed on behalf of the respondent nos. 6 to 45.

6. Ms. Zhimomi, learned counsel for the petitioners has submitted that the observations and directions made in the common Judgment and Order dated 20.09.2024 passed in the batch of writ petitions, W.P.[C] no. 189/2022 to W.P.[C] no. 199/2022 will be applicable on all fours in this writ petition.

7. From the statements made in the writ petition and the annexures appended thereto, it is noticed that by an Order bearing no. PHQ[B-I]/1/NGO/APPTT/2018/2434 dated 16.01.2020 [Annexure-B] the respondent no. 6 was appointed as an Assistant Sub-Inspector of Police [ASI] in the office of the Superintendent of Police, Mokokchung. By an Order bearing no. PHQ[B-I]/1/NGO/APPTT/2018/2571 dated 23.01.2020 [Annexure-B-1] the respondent no. 7 was appointed as an Assistant Sub-Inspector of Police [ASI] in the office of the Superintendent of Police, Kohima. By an Order bearing no. PHQ[B-I]/1/NGO/APPTT/2018/2570 dated 23.01.2020 [Annexure-B-2] the respondent no. 8 was appointed as an Assistant Sub-Inspector of Police [ASI] in the office of the Police Head Quarter [PHQ]. By an Order bearing no. PHQ[B-



I]/1/NGO/APPTT/2018/284 dated 04.02.2019 [Annexure-B-3] the respondent no. 9 was appointed as an Unarmed Branch Sub-Inspector of Police [UBSI] in the office of the Police Head Quarter [PHQ], Kohima. Similarly, by different Orders of Appointment, as mentioned in paragraph 3 of the writ petition, which are annexed as Annexure-B-4 to Annexure-B-37 to the writ petition, the respondent no. 10 to respondent no. 45 were appointed as Assistant Sub-Inspector [ASI]/Unarmed Branch Sub-Inspector of Police [UBSI]/Sub-Inspector of Police [SI]/Instructor Havildar in Nagaland Police in different offices/districts. All these appointment orders were issued under the hand of the Director General of Police [DGP], Nagaland.

8. The prime contention raised in the batch of writ petitions, W.P.[C] no. 189/2022 to W.P.[C] no. 199/2022 was that the State respondent authorities during the period from January, 2018 to October, 2019 made appointments of 935 nos. of Constables in Nagaland Police without making any kind of advertisement and those appointments were made through backdoors. It was contended on behalf of the petitioners therein, who were similarly situated like the petitioners herein, that by making such illegal appointments without following the principles laid down in Article 14 and Article 16 of the Constitution of India, the petitioners therein were denied the benefit of participation in the recruitment process despite being eligible. From the common Judgment and Order dated 20.09.2024, it is noticed that the learned Advocate General, Nagaland during the course of his submissions, had fairly submitted that the State ought to have gone for advertisement prior to making the selection and appointments of the private respondents therein. While submitting so, it had been urged on behalf of the State respondents that it was not a case that the private respondents therein were not qualified or did not meet the eligibility criteria to be appointed as Constables in Nagaland Police. It was further urged that since the private respondents had rendered their due services to the State, their appointments ought not to be looked as illegal appointments merely because of the fact that there was no advertisement. During the course of their respective submissions, learned counsel for the petitioners as well as the learned counsel for the private respondents had also made submissions on the

aspect of granting relaxation on various counts to them if the Court would find that the appointments made in favour of the private respondents were illegal and liable to be set aside. In the batch of writ petitions, W.P.[C] no. 189/2022 to W.P.[C] no. 199/2022, an affidavit was filed on behalf of the State on 20.08.2024 wherein it was indicated that one of the relaxations which the State of Nagaland had in their mind for extending to the candidates was age relaxation. Apart from the age relaxation, the State of Nagaland indicated in Annexure-A to the said affidavit dated 20.08.2024 the other criteria where relaxations were envisaged.

9. The learned Single Judge after consideration of the manner in which the appointments of the private respondents in the batch of writ petitions, W.P.[C] no. 189/2022 to W.P.[C] no. 199/2022 had been made; on hearing the learned counsel for the parties; after perusal of the materials on record; and after examining the legality and validity of the appointments of the private respondents qua the principles embodied in Article 14 and Article 16 of the Constitution of India, has found the appointments of the private respondents therein illegal in the absence of any kind of advertisement. The learned Single Judge has also considered the aspect of relaxation sought by the sides of the petitioners and the private respondents. The said batch of writ petitions, W.P. [C] no. 189/2022 to W.P.[C] no. 199/2022 has been disposed of by the common Judgment and Order dated 20.09.2024 inter-alia with the following observations and directions :-

36. Accordingly, this Court therefore disposes of the instant batch of writ petitions with the following observations and directions:

[i] The appointments which have been challenged in the instant writ petitions, i.e. 935 posts of Constables who were appointed during the period from January, 2018 to October, 2019 by the State of Nagaland without advertisement are all set aside and quashed. The appointment orders enclosed

as Annexures referred to in Paragraph No.3 of the instant judgment are set aside and quashed.

[ii] The State Respondents herein are directed to take steps for holding fresh selection of the 935 posts of Constables by issuance of advertisement in newspapers which are well circulated in the State of Nagaland. The said selection be held in accordance with law.

[iii] The process of selection be completed at the earliest and preferably within 6 [six] months from the date of the instant judgment.

[iv] The private Respondents herein whose appointments have been set aside by this judgment would be eligible to participate in the fresh selection process.

[v] The upper age limit of both the private Respondents as well as the Petitioners herein shall be given relaxation. However, there shall be no relaxation in the matter of basic qualifications as well as the Departmental physical criteria mentioned in Annexure-A to the affidavit dated 20.08.2024.

[vi] This Court had rejected the concession/relaxation as sought for in terms with Annexure-A of the affidavit dated 20.08.2024.

[vii] The private Respondents may be allowed by the State Respondents to continue in-service for a period of 6 [six] months from the date of the instant judgment or till such time fresh appointments are made pursuant to the selection directed hereinabove, **whichever is earlier.**

10. Ms. Zhimomi, learned counsel appearing for the petitioners has submitted that the fact situation obtaining in the batch of writ petitions, W.P.[C] no. 189/2022 to W.P.[C] no. 199/2022 is similar to the fact situation obtaining in the present writ petition and as such, this writ petition shall also be disposed of with the same observations and directions. On a query made by this Court to Mr. Sangtam, learned Additional Advocate General, Nagaland appearing for the respondent no. 1 and Mr. Jamir, learned counsel appearing for the State respondent nos. 2 to 5 on the point whether there exists any distinguishing feature in the manner of appointment of the present respondent nos. 6 to 45 from the manner of appointment of 935 nos. of Constables, which was the subject-matter of the common Judgment and Order dated 20.09.2024 [supra], they have fairly submitted that there appears to be no distinguishing feature in the manner of appointments in the two sets of appointments. The learned counsel appearing for the other respondents, noted in paragraph no. 1 above, have not also pointed towards any distinguishing feature between the two sets of appointments.

11. It has been settled by a long line of decisions of the Hon'ble Supreme Court of India and of this Court that an appointment made without any advertisement and any selection process/interview does not meet the requirements of Article 14 and Article 16 of the Constitution of India, as the same deprives all other eligible candidates from submitting their candidatures and from participating in the competition undertaken for filling-up such a post. One of such decisions is **State of Orissa and another vs. Mamata Mahanty**, reported in [2011] 3 SCC 436. In the said decision which is also referred to in the common Judgment and Order dated 20.09.2024, the Hon'ble Supreme Court of India has observed as under :

“Appointment/employment without advertisement

35. At one time this Court had been of the view that calling the names from employment exchange would curb to certain extent the menace of nepotism and corruption in public employment. But, later on, came to the conclusion that some appropriate method consistent with

the requirements of Article 16 should be followed. In other words there must be a notice published in the appropriate manner calling for applications and all those who apply in response thereto should be considered fairly. Even if the names of candidates are requisitioned from employment exchange, in addition thereto it is mandatory on the part of the employer to invite applications from all eligible candidates from the open market by advertising the vacancies in newspapers having wide circulation or by announcement in radio and television as merely calling the names from the employment exchange does not meet the requirement of the said article of the Constitution. [Vide *Delhi Development Horticulture Employees' Union vs. Delhi Administration, Delhi and others*, [1992] 4 SCC 99; *State of Haryana and others vs. Piara Singh*, [1992] 4 SCC 118; *Excise Superintendent Malkapatnam, Krishna District, A.P. vs. K.B.N. Visweshwara Rao and others*, [1996] 6 SCC 216; *Arun Tewari and others vs. Zila Mansavi Shikshak Sangh and others*, [1998] 2 SCC 332; *Binod Kumar Gupta and others vs. Ram Ashray Mahoto and others*, [2005] 4 SCC 209; *National Fertilizers Limited and others vs. Somvir Singh*, [2006] 5 SCC 493; *Telecom District Manager and others vs. Keshab Deb*, [2008] 8 SCC 402; *State of Bihar vs. Upendra Narayan Singh and others*, [2009] 5 SCC 65; and *State of Madhya Pradesh and another vs. Mohd. Abraham*, [2009] 15 SCC 214.

36. Therefore, it is a settled legal proposition that no person can be appointed even on a temporary or ad hoc basis without inviting applications from all eligible candidates. If any appointment is made by merely inviting names from the employment exchange or putting a note on the notice board, etc. that will not meet the requirement of Articles 14 and 16 of the Constitution. Such a course violates the mandates of Articles 14 and 16 of the Constitution of India as it deprives the candidates who are eligible for the post, from being considered. A person employed in violation of these provisions is not entitled to any relief including salary. For a valid and legal appointment mandatory compliance of the said constitutional

requirement is to be fulfilled. The equality clause enshrined in Article 16 requires that every such appointment be made by an open advertisement as to enable all eligible persons to compete on merit.”

11.1. In **Binod Kumar Gupta and others vs. Ram Ashray Mahoto and others**, reported in [2005] 4 SCC 209, the appellants were appointed in Class - IV posts. It was found that they were appointed in the Grade - IV posts without issuing any advertisement in any newspaper and without adequate notice and fair opportunity to others who might have applied. It did not appear from records that the appellants' appointments were preceded by any selection procedure/interview at all. It has, therefore, been held that the appointments were not made in a *bona fide* manner despite a directive to advertise the vacancies in the newspapers. After setting aside the appointments of the appellants, a direction was made to issue fresh advertisement for filling up vacancies in Class - IV posts. In such scenario, it has been observed by the Hon'ble Supreme Court of India that the continuance of the appellants in service cannot be allowed merely because they had been found working in the Grade - IV posts for the last 15 years as the same would amount to condoning a gross irregularity in their initial appointments.

12. It is the admitted case of the parties that the orders of appointment of the respondent nos. 6 to 45 were made without any kind of advertisement and without following the principles which emanate from Article 14 and Article 16 of the Constitution of India. As there was no advertisement, the said act had deprived all the eligible candidates including the petitioners herein, to submit their candidatures for the vacancies in question. Such action on the part of the State respondent authorities leading to the appointments of the respondent nos. 6 to 45 are found in clear violation of the principles enshrined in Article 14 and Article 16 of the Constitution of India.

13. The law is well settled that a co-ordinate bench follows a decision of an earlier co-ordinate bench. If a co-ordinate bench does not agree with the principles of law enunciated by another co-ordinate bench, the matter can only

be referred to a larger bench. But, no decision can be arrived at contrary to or inconsistent with the law laid down by the co-ordinate bench earlier.

14. As no distinguishable feature is found between the facts and circumstances obtaining in the present writ petition and the facts and circumstances obtaining in the batch of writ petitions, W.P.[C] no. 189/2022 to W.P.[C] no. 199/2022, this Court is of the considered view that the observations and directions made in Paragraph 36 of the common Judgment and Order passed in the batch of writ petitions, W.P.[C] no. 189/2022 to W.P.[C] no. 199/2022 are also applicable in the case in hand. Such view of this Court is also fortified from the submissions of the learned counsel for the parties including the learned counsel appearing for the State respondent authorities, who are at consensus ad idem on the fact that the appointments of the respondent nos. 6 to 45 were made in a similar manner like the 935 nos. of appointments in the post of Constable in Nagaland Police, challenged in the batch of writ petitions, W.P.[C] no. 189/2022 to W.P.[C] no. 199/2022, which are disposed of by the common Judgment and Order dated 20.09.2024 [supra] with the observations and directions, quoted above.

15. In the above facts and circumstances obtaining in the case in hand, the present writ petition is disposed of with the following observations and directions.

[i] The appointments of the respondent no. 6 to respondent no. 45, challenged in the writ petition, to the post of Sub-Inspector of Police [SI]/Unarmed Branch Sub-Inspector of Police [UBSI]/Assistant Sub-Inspector of Police [ASI]/Instructor Havildar who were appointed on different dates in the years 2019 and 2020, as reflected in their Orders of Appointments, which are annexed as Annexure-B to Annexure-B-37 to this writ petition, by the State respondent authorities without any advertisement are all set aside and quashed. The Orders of Appointments of the respondent no. 6 to respondent no. 45 enclosed as Annexure-B to B-37 are set aside and quashed.

[ii] The State respondents are directed to take steps for holding fresh selection of the posts of Sub-Inspector of Police [SI]/Unarmed Branch Sub-Inspector of Police [UBSI]/Assistant Sub-Inspector of Police [ASI]/Instructor Havildar, which become vacant due to setting aside and quashing of the orders of appointment issued in respect of the respondent no. 6 to respondent no. 45, by issuance of advertisement in newspapers which are widely circulated throughout the State of Nagaland. The said selection be held in accordance with law. It is further observed that the process of recruitment shall be conducted following the principles enshrined in Article 14 and Article 16 of the Constitution of India.

[iii] The process of selection shall be completed at the earliest and preferably within 6 [six] months from the date of the present order.

[iv] The respondent no. 6 to respondent no. 45 herein whose appointments have been set aside by this judgment would be eligible to participate in the fresh selection process.

[v] The upper age limit of the respondent no. 6 to respondent no. 45 as well as the petitioners herein shall be given relaxation. However, there shall be no relaxation in the matter of basic qualifications as well as the Departmental physical criteria. As held in the common Judgment and order dated 20.09.2024 [supra], there shall be no concession/relaxation as sought for in terms with Annexure-A of the affidavit filed by the State of Nagaland on 20.08.2024 in the batch of writ petitions, W.P.[C] no. 189/2022 to W.P.[C] no. 199/2022, this Court likes to observe in similar manner, though the affidavit dated 20.08.2024 is not part of the records of this case.

[vi] The respondent no. 6 to respondent no. 45 may be allowed by the State respondents to continue in-service for a period of 6 [six] months from the date of the instant order or till such time fresh appointments are made pursuant to the selection directed hereinabove, whichever is earlier.

[vii] It is further observed that during the continuance of service of



the respondent no. 6 to respondent no. 45 as observed in para [vi] above, they are required to maintain discipline required on the part of the members of the Nagaland Police Force and in case of any act of indiscipline on their part, the State respondent authorities would be at liberty to deal with such act of indiscipline in accordance with law.

Sd/-

**JUDGE**

**Comparing Assistant**