

WP(C) 5422/2008
BEFORE
THE HON'BLE MR JUSTICE B.K. SHARMA

Heard Mrs. K. Devi, learned counsel for the petitioner as well as Ms. R. Chokraborty, learned Addl. Sr. Govt. Advocate representing the respondents. I have also considered the materials on record.

The matter relates to the claim of the petitioner for appointment on compassionate ground. As per averments made in the writ petition, the father of the petitioner who was a Grade-IV employee of Public Health Engineering Department, Nagaon has been missing since 22.06.2000. By Annexure-6 Certificate dated 23.06.08 issued by the District Magistrate, Barpeta, it has been certified that the father of the petitioner should be deemed to be a dead person under Section 108 of the Indian Evidence Act. It is on this count the petitioner has claimed compassionate appointment.

As per the affidavit filed by the respondents, the case of the petitioner was forwarded for consideration. Necessary proposal was submitted by the respondent No. 3 vide his letter dated 18.12.02, but the same was returned on 20.08.05 with the request to resubmit the proposal by showing specific regular vacant post. The affidavit further reveals that the case of the petitioner will have to be considered as per the decision of this Court dated 03.08.06 passed in W.P.(C) No. 3875/05. The affidavit has further revealed that the respondent No. 3 has submitted necessary proposal with relevant records to the District Level Committee, Barpeta for necessary action.

Since the proposal has already been submitted and the matter will have to be processed firstly by the District Level Committee and thereafter the State Level Committee subject to the outcome of the recommendation to the District Level Committee, I dispose of the writ petition providing that the respondents may do the needful in the matter strictly in accordance with the guidelines holding the field of compassionate appointment.

Writ petition is disposed of.