

WP(C) 3724/2010

BEFORE

HON'BLE MRS JUSTICE ANIMA HAZARIKA

Heard Mr. J Islam, learned counsel appearing for the petitioner. Also heard Mr. M Khataniar, learned Standing Counsel, Education Deptt., Assam.

Considering the grievances raised in the writ petition and also as agreed upon by the learned counsel appearing for the parties, this writ petition is disposed of at the motion stage itself.

Petitioner's case in brief is that the father of the petitioner late Islam Uddin Choudhury, who was an Assistant Teacher of 215 No. Dulal Ray LP School, Cachar, died in harness on 8.6.07. On demise of his father, petitioner applied for appointment on compassionate ground on 25.5.09 before the Block Elementary Education Officer ('BEEO' for short), Narsingpur, Cachar. On the very day, the BEEO forwarded the application of the petitioner to the Deputy Inspector of Schools, Cachar at Silchar for taking necessary action.

The grievance of the petitioner is that his case has not been considered for appointment on compassionate ground till date. Hence, the petitioner has approached this Court praying for a direction to the respondent authorities to consider his case for appointment on compassionate ground.

It is submitted at the Bar that the issue involved is covered by the judgment and order dated 3.8.06 passed in a batch of writ petitions, the leading case being WP(C) No.3875/05 (Achyut Ranjan Das & Ors. -vs- State of Assam & Ors) reported in 2006 (4) GLT 674.

Having regard to the issue raised and the decision rendered by this Court as mentioned above, this writ petition is disposed of with a direction that the petitioner's case shall be considered in terms of the guidelines laid down in Achyut Ranjan Das (supra).

The petitioner is at liberty to submit a copy of the writ petition alongwith the annexures appended thereto with a certified copy of this order and a copy of the order dated 3.8.06 passed in WP(C) No.3875/05 before the respondent No.5, the Deputy Inspector of Schools, Cachar at Silchar, Assam for taking necessary action.

This writ petition is accordingly disposed of.

However, there shall be no order as to cost.