

WP(C) 3619/2010  
BEFORE  
HON'BLE MRS JUSTICE ANIMA HAZARIKA

Heard Mr. DP Borah, learned counsel appearing for the petitioner . Also heard Mr. R Sinha, learned Standing Counsel, BTC.

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 Khargeswar Roy, who was serving in the post of Laboratory Bearer in Basugaon Higher Secondary School, Basugaon, Chirang District, died in harness on 16.2.03 leaving behind the petitioner and his mother. As there is no other earning member in his family, petitioner applied for appointment on compassionate ground in any Grade-IV post in the said school. In the meantime, petitioner worked as Night Guard on temporary basis since 21.9.05 and he got remuneration as fixed by the Managing Committee of the school but in the last part of January, 2010 he was disengaged from the said duty. As far petitioner's knowledge one Grade-IV post is still lying vacant in the school. But, till date, petitioner's case has not been considered for appointment on compassionate ground. 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.3, the Inspector of Schools, i/c Chirang District Circle for taking necessary action.

This writ petition is accordingly disposed of.  
However, there shall be no order as to cost.