

WP(C) 6022/2014

PRESENT

HON'BLE MR JUSTICE UJJAL BHUYAN

Heard Mr. M.U. Mahmud, learned counsel for the petitioner and Ms. B. Bhuyan, learned Standing Counsel, Bodoland Territorial Council (BTC). Also heard Mr. D. Chetia, learned Standing Counsel, Education (Elementary) Department.

By way of this petition under Article 226 of the Constitution of India, petitioner seeks a direction to the respondents to consider her case for appointment on compassionate ground.

Case of the petitioner is that her husband late Dhananjoy Brahma was working as Assistant Teacher in the No.231 West Kalaigaon L.P. School in the district of Kokrajhar. He died in harness on 15.1.2014. Because of the sudden death of her husband and facing acute financial hardship, petitioner applied for compassionate appointment on 23.6.2014. Application of the petitioner was forwarded by the Block Elementary Education Officer, Dotoma to the Deputy Inspector of Schools, Kokrajhar but no decision has been taken thereon. Aggrieved, petitioner has filed the present petition.

Having regard to the nature of the grievance expressed and the order that is proposed to be passed. Court is of the view that issuance of formal notice is not necessary and the case can be disposed of at the motion stage itself.

It is submitted that a Committee has been constituted and is functional for the entire BTC area to consider the cases claiming appointment on compassionate ground. The said Committee verifies the claims and thereafter forwards its recommendations to the State Level Committee constituted for the purpose following the decision of this Court in Achyut Ranjan Das-vs- State of Assam 2006(4) GLT 674.

In view of above, Principal Secretary, BTC (Respondent No.2) is directed to place the case of the petitioner before the Committee constituted for BTC to consider the cases of compassionate appointment within a period of one month from the date of receipt of a certified copy of this order. The Committee shall thereafter consider the case of the petitioner along with other eligible candidates in its next meeting.

Writ petition is disposed of.