

GAHC010144982020



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

Case No. : WP(C)/4288/2020

SAHANARA BEGUM CHOUDHURY
W/O. LT. KUTUB UDDIN AHMED, VILL. BATARASHI, P.O. TILABAZAR, DIST.
KARIMGANJ, ASSAM, PIN-788709.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, EDUCATION
(SECONDARY) DEPTT., DISPUR, GUWAHATI-06.

2:THE CHAIRMAN OF THE STATE LEVEL COMMITTEE

3:THE DIRECTOR OF SECONDARY EDUCATION

4:THE DISTRICT LEVEL SELECTION COMMITTEE

5:THE INSPECTOR OF SCHOOL

Advocate for the Petitioner : MR H R CHOUDHURY

Advocate for the Respondent : SC, SEC. EDU.

**BEFORE
HONOURABLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA**

O R D E R

27.11.2020

Heard Mr. HR Choudhury, learned counsel for the petitioner, Mr. B Deori, learned counsel for the respondent Nos. 2 and 4 and Mr. SMT Chisti, learned counsel for the respondent Nos. 1, 3 and 5 being the authorities under the Secondary Education Department of the Government of Assam.

2. The husband of the petitioner who served as a LDA in the Bhanga Higher Secondary School, died in harness on 25.02.2005 and on his death, the petitioner submitted an application for compassionate appointment on 26.04.2005. It is stated that this is a fifth round of writ petition filed before this Court. Earlier occasions, the petitioner was either recommended by the DLC, but for some reason it was not acceptable to the SLC or the DLC itself had not recommended and every time the matter was remanded back to the authorities. Ultimately, the process resulted in the minutes of the DLC of Karimganj district dated 28.12.2019, wherein the petitioner Smti Sahanara Begum Choudhury, wife of late Kutubuddin Ahmed was recommended for appointment in a Grade-IV post.

3. The grievance of the petitioner is that the recommendation of the DLC of Karimganj district of 28.12.2019 has not been placed before the SLC.

4. We have gone through the minutes of the DLC. Although there is a recommendation, but we have noticed that the vacancy evaluation has not been stated for the recommendation itself.

5. In the circumstance, we require the DLC of Karikganj district to palce the recommendation in favour of the petitioner in the minutes dated 28.12.2019 before the next available SLC and along with it the DLC shall also sent an appropriate vacancy evaluation indicating the post to which the petitioner had been recommended.

In terms of the above, the writ petition stands disposed of.

JUDGE

Comparing Assistant