GAHC010019842022

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

Case No. : WP(C)/3076/2022

SHIBAYAN DEB
S/O- LATE RAJAT KUMAR DEB, RESIDENT OF TARAPUR, KARIMGANJ ROAD, SANTHIPALLY, SILCHAR, ASSAM. PIN- 788006.

VERSUS

THE STATE OF ASSAM AND 6 ORS
REP. BY THE COMMISSIONER AND SECRETARY, WATER RESOURCE DEPARTMENT, GOVT. OF ASSAM, DISPUR, GUWAHATI- 781006.

2:THE UNDER SECRETARY TO THE GOVT. OF ASSAM
WATER RESOURCE DEPTT.
DISPUR
GUWAHATI- 06.

3:THE CHIEF ENGINEER
WATER RESOURCE DEPTT.
ASSAM
CHANDMARI
GUWAHATI-03.

4:THE DEPUTY CHIEF ENGINEER
WATER RESOURCE DEPTT.
ASSAM
CHANDMARI
GUWAHATI-03.

5:EXECUTIVE ENGINEER
SILCHAR WATER RESOURCE DEPARTMENT
SILCHAR.

6:DISTRICT LEVEL COMMITTEE FOR APPOINTMENT ON COMPASSIONATE GROUND

REP. BY THE DEPUTY COMMISSIONER
CACHAR
SILCHAR.

7:STATE LEVEL COMMITTEE OF APPOINTMENT ON COMPASSIONATE GROUND
REP. BY THE SECRETARY
GOVT. OF ASSA

Advocate for the Petitioner : MR. K K DEY

Advocate for the Respondent : SC, WATER RESOURCE

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

Date : 30-07-2022

1. Heard Mr. VK Barooah, learned counsel for the petitioner as well as Mr. P Kakati, learned counsel for the respondent Nos. 1 to 5 and Mr. SS Roy, learned counsel for the respondent Nos. 6 and 7.

2. The petitioner's case is that the petitioner was recommended for compassionate appointment against a Grade-III post in terms of the District Level Committee (DLC), Cachar, Silchar meeting minutes dated 24.05.2017. The petitioner's grievance is that the petitioner's case has not been considered by the State Level Committee (SLC) till date. He accordingly, prays that the petitioner's case should be considered by the SLC, as the same has already been recommended for compassionate appointment by the DLC.

3. Mr. P Kakati, learned counsel for the respondent Nos. 1 to 5 and Mr. SS Roy, learned counsel for the respondent Nos. 6 and 7, submit that they have not received any instructions, with regard to whether the petitioner's application for compassionate appointment and the DLC meeting minutes dated 24.05.2017

were considered by the SLC.

4. On considering the orders passed by this Court, this Court finds that time had been given to the counsel for the respondent Nos. 1 to 5 to obtain instructions in the matter. However, no instructions are forthcoming till date.

5. In view of the above, this Court is of the view that the petitioner's case should be considered by the SLC, if not considered earlier. Accordingly, the respondents should ensure that the petitioner's application for compassionate appointment and the DLC, Cachar, Silchar meeting minutes dated 24.05.2017 are placed before the SLC for consideration in its next meeting. The same is, however, subject to the condition that the petitioner's application and DLC meeting minutes dated 24.05.2017 have not been considered by the SLC earlier. If the SLC has already considered the petitioner's application for compassionate appointment, the decision taken should be communicated to the petitioner.

6. The writ petition is accordingly disposed of.

JUDGE

Comparing Assistant