

GAHC010253362023



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

Case No. : I.A.(Civil)/3369/2023

JONY NARZARY,
D/O- LT. NIBARAM NARZERY, C/O- LT. M. SHARMA, ZOO ROAD, H.NO.2,
BARNALI PATH, P.S.- DISPUR, GHY-05

VERSUS

THE UNION OF INDIA AND 3 ORS
REP. BY THE SECRETARY TO THE GOVT. OF INDIA, (MINISTRY OF
INFORMATION AND BROADCASTING), NEW DELHI- 110001

2:PRASAR BHARATI
PRASAR BHARATI SECRETARIAT
PRASAR BHARATI HOUSE
COPERNICUS MARG
NEW DELHI- 110001
REP. BY ITS DIRECTOR GENERAL

3:THE DY. DIRECTOR
PRASAR BHARATI
ALL INDIA RADIO
CHANDMARI
GHY-3

4:STATION SUPERINTENDENT
ALL INDIA RADIO/PRASAR BHARATI
CHANDMARI
GHY-

Advocate for the Petitioner : MS D SHARMA

Advocate for the Respondent : DY.S.G.I.

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

22.11.2023

Heard Ms. B. Saha, learned counsel for the applicant and Mr. K. Gogoi, learned CGC for the Union of India.

This application has been filed by the applicant seeking certain corrections in the order dated 16.10.2023 passed in WP(C) No.1032/2021. By order dated 16.10.2023 the writ petition being WP(C) No.1032/2021 was disposed of. The order dated 16.10.2023 is quoted herein below:

“2. *This writ petition is filed by the petitioner praying for appointment of the petitioner on compassionate scheme as her father died in harness on 18.01.2015 while the petitioner was a minor (about 15 years of age). The petitioner made an application for compassionate appointment on 21.07.2017 but the same was rejected. The learned counsel for the petitioner submits that the respondents on 21.12.2018 issued a notification stating that Standard Operating Procedure (SOP) has been revised which lays down the procedure for consideration the cases for appointment under compassionate scheme.*

3. *Mr. S.S. Roy, learned CGC appearing for the respondents submits that an affidavit has been filed where the maintainability of the writ petition itself has been objected to as it is submitted that the matter ought to have been filed before the Central Administrative Tribunal instead of approaching this Court.*

4. Be that as it may, without entering into the merits of the case, in view of the prayer made by the petitioner before this Court that she would like to file a fresh application before the respondent no.3 requesting for consideration of her claim for appointment on compassionate scheme, this Court permits the petitioner to file necessary application before the concerned authority. Any such application is filed before the concerned authority, the concerned authority will look into the grievances of the petitioner and thereupon, after hearing the petitioner shall pass a speaking order disposing of the claims for compassionate appointment raised by the petitioner. Any such speaking order that may be passed will be served upon the petitioner while disposing of the claims of the petitioner. The authority will also take note of any such engagement made or given to the petitioner on casual basis to determine suitability of engagement of the petitioner on compassionate grounds."

Learned counsel for the applicant submits that the father of the petitioner died on "**18.01.2005**" but the same was wrongly recorded in the order dated 16.10.2023 as "**18.01.2015**". Further, submission is that on 16.10.2023, *Dr. R. Sarma*, learned counsel appeared on behalf of the writ petitioner but in his place the name of Mr. B.K. Bhattacharjee, learned counsel was wrongly recorded.

Upon careful perusal of the order dated 16.10.2023 and also taking into consideration of the submissions made by the learned counsel for the applicant and which is not objected to by the learned CGC, this IA is allowed.

Accordingly, in the order dated 16.10.2023, the name of the learned counsel shall be read as *Dr. R. Sarma*, instead of *Mr. B.K. Bhattacharjee* and the date of death

of the petitioner's father shall be read as "**18.01.2005**" in place of "**18.01.2015**".

This order shall read together along with the direction contained in the order dated 16.10.2023 passed in WP(C) No.1032/2021 .

The I.A. stands disposed of.

JUDGE

Comparing Assistant