

GAHC020001472023



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

Case No. : WP(C)/60/2023

SHRI. THRONGLONGSE SANGTAM
S/O LT. KYUKHANGBA OF ANGANGBA VILLAGE, R/O LONGKHIM TOWN,
DISTRICT - TUENSANG, NAGALAND

VERSUS

THE STATE OF NAGALAND AND 3 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF
NAGALAND

- 2) THE COMMISSIONER AND SECRETARY,
DEPARTMENT OF WORKS AND HOUSING, NAGALAND, KOHIMA
- 3) THE ENGINEER-IN-CHIEF,
NAGALAND PUBLIC WORKS DEPARTMENT, NAGALAND, KOHIMA
- 4) THE CHIEF ENGINEER,
PWD(HOUSING), NAGALAND, KOHIMA

Advocate for the Petitioner : TOSHI O. LONGKUMER

Advocate for the Respondent : GOVT ADV NL

BEFORE
HON'BLE MRS. JUSTICE MARLI VANKUNG
ORDER

Date : 24-04-2023

Heard Mr. Toshi O Longkumer, learned counsel for the petitioner who submits that he has made this application under Article 226 of the Constitution of India for issuance of appropriate writ against the respondents for his appointment on compassionate ground as per the Office Memorandum Revised Compassionate Appointment Scheme for the State Government employee who died in harness dated 17/9/2015, in place of the resultant vacancy which arose by the demise of his father Lt. Kyukhangba Yimchunger who was appointed as Work Charged Painter helper under the establishment of Executive Engineer, PWD (Housing) Division No.1, Kohima and whose service was regularized on 6/1/2018.

The petitioner has made representation for compassionate appointment vide his representation dated 11/6/2020 and 14/3/2023. However, till date he has not receive any reply to his representation. That the instant writ is confined only to the extent that his representation being considered by the State respondents.

Notice be issued.

Ms. Bichano, learned Government Advocate appearing for the State respondents accepts notice and has brought to the notice of this Court, the Addendum dated 9/4/2019 issued by the Government of Nagaland, P & AR Department, (Administrative Reforms Branch) which is with regard to compassionate appointment scheme for Government Employee who died in Harness and Addendum thereof.

As per the said Notification dated 9/4/2019 it mentions that the following conditions are added in the compassionate appointment scheme:-

1. Compassionate appointment made in Group C and D posts under this scheme shall be strictly in order of date of death and first preference shall always be given against who have died earlier and who fulfills all other eligibility criteria.
2. The responsibility of completing application forms of the next of kin of the deceased shall be with the Department as per the prescribed format.

The learned Government Advocate submits that the compassionate appointment of the petitioner can be considered in line with the Addendum Notification dated 9/4/2019.

Having heard the submissions made by both the parties and in view of the limited prayer made by the petitioner, this Court find it fit to dispose of this writ petition at the motion stage itself, with a direction that the representations made by the petitioner dated 11/6/2020 and 14/3/2023 should be considered and disposed of with a speaking order within 3(three) weeks from the date of receipt of a certified copy of this order by the State respondents.

With the above direction writ petition stands disposed of.

**Sd/-
JUDGE**

Comparing Assistant