

GAHC020005172023



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

Case No. : WP(C)/214/2023

SHRI MHASILEZO KHRUOMO
S/O LATE MENGUZELIE KHRUOMO,
R/O L. KHEL, KOHIMA VILLAGE,
KOHIMA, NAGALAND, 797001

VERSUS

1. HE STATE OF NAGALAND
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT
OF NAGALAND, KOHIMA, NAGALAND

2:THE COMMISSIONER AND SECRETARY, RURAL DEVELOPMENT,
NAGALAND, KOHIMA.

3. THE DIRECTOR, STATE INSTITUTE OF RURAL DEVELOPMENT,
NAGALAND, KOHIMA

Advocate for the Petitioner : ALIBA OZUKUM

Advocate for the Respondent : GOVT ADV NL

**BEFORE
HON'BLE MRS. JUSTICE MARLI VANKUNG**

ORDER

Date : 03-10-2023

Heard Mr. Aliba Ozukum, learned counsel for the petitioner.

2. This application filed under Article 226 of the Constitution of India for the issuance of the appropriate writ petition against the respondents.

3. The case of the petitioner is that the petitioner's late father namely, Mr. Menguzelie Khruomo was serving as a Chowkidar in the Department of State Institute of Rural Department (SIRD), Nagaland, Kohima and was appointed in the year 07.12.1999 against the vacant post, however, he died in harness on 20.08.2021 leaving behind 9 (nine) family members dependant on the deceased.. Thereafter, an application for compassionate appointment was filed on 12.05.2022 by the eldest son of the deceased Mr. Menguzelie Khruomo, however, while the said application was pending, the applicant Mr. Kikruneizo Khruomo, had passed away and a fresh application was filed by the petitioner, second son of the deceased Mr. Menguzelie Khruomo for appointment to Grade-IV post on compassionate grounds under the scheme of compassionate appointment.

4. The learned counsel submits that inspite of the application fled on 14.07/20223 for appointment on compassionate grounds, the State respondent has not taken any steps to consider the said application and hence the instant writ petition.

5. Issue notice to the respondentss. Mr. Mosemsa Longkumer, learned Govt. Advocate for the State respondents accepts notice on behalf of the State respondents therefore, no need to issue formal notice.

6. The learned counsel for the petitioner further submits that the State respondents may be directed to consider the application submitted on 24.07.2022. The learned Govt. Advocate for the State respondents has also not objected to the disposal of the writ petition, considering the limited prayer of the learned counsel for the petitioner.

7. Having heard the submissions made by the learned counsel for the petitioner, which is a limited prayer, that the application filed by the petitioner, dated 24.07.2022, to the Director, State Institute of Rural Department (SIRD), Nagaland, Kohima be consider expeditiously, this court finds it fit to dispose of the instant writ petition at the motion stage itself.

8. In view of the above, the instant writ petition is disposed with a direction to the State respondents to consider and dispose of the representation/application dated 24.07.2023 submitted by the petitioner to the Director, State Institute of Rural Department (SIRD), Nagaland, Kohima, in terms of the OM dated 17.09.2015 which is the Revised Compassionate Appointment Scheme for State Government Employees who died in harness. The representation is to be considered and disposed of with a speaking order by the State respondents within 2 (two) months from the date of receiving a certified true copy of this order.

9. Accordingly, Writ Petition(C)/214/2023 stands disposed of with the above directions.

Sd/-

JUDGE

Comparing Assistant