

GAHC010037492023



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

Case No. : WP(C)/1104/2023

RAKHI NATH
W/O- LATE BIKRAMADITYA NATH, R/O- VILL. AND P.O. KRISHNAPUR,
DIST. CACHAR, ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
TO BE REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF
ASSAM, WATER RESOURCE DEPARTMENT, DISPUR, GUWAHATI-781006.

2:THE CHIEF SECRETARY TO THE GOVT. OF ASSAM
CUM CHAIRMAN OF THE STATE LEVEL COMMITTEE FOR
COMPASSIONATE APPOINTMENT
DISPUR
GUWAHATI-6.

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

4:THE EXECUTIVE ENGINEER (MECHANICAL) W.R. DIVISION
WATER RESOURCES DEPARTMENT
SILCHAR CACHAR
P.O. AND DIST. CACHAR
ASSA

Advocate for the Petitioner : MR F A LASKAR

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY**

ORDER

26.02.2024.

None appears for the petitioner on call. However, Mr. C. Sarma, learned counsel for the respondent Nos. 1, 3 and 4 and Mr. A. Chakraborty, learned counsel for the respondent No. 2.

The instant writ petition is filed seeking a direction to the respondent authorities more particularly to the respondent Nos. 1 and 2 to hold State Level Committee Meeting and consider the claim of the petitioner within a specific time limit as per recommendation of the District Level Committee, Cachar made in its meeting dated 28.05.2013 for appointment.

Mr. A. Chakraborty, learned State counsel has received an instruction from the Deputy Secretary (I) to the Government of Assam, Water Resources Department, Dispur. The said instruction discloses that the Water Resources Department had placed the application of the petitioner in the State Level Committee meeting held on 10.03.2023. Thereafter, the State Level Committee directed the Water Resources Department to seek vacancies in Grade IV post of other departments for appointment of the petitioner on compassionate ground as there is no available vacancy in the Water Resources Department earmarked for appointment under compassionate ground in the cadre of Grade-III and IV. A copy of such vacancy position is also furnished along with the instruction.

That being the position, it is clear that the case of the petitioner is under consideration by the State Level Committee and therefore, the grievance of the petitioner that her case was not placed before the State Level Committee, has already

been redressed. Accordingly, this writ petition stand closed. However, it is made clear that, the petitioner shall be at liberty to approach this Court if aggrieved by any decision of the State Level Committee.

The instruction dated 17.03.2023 issued by the Deputy Secretary (I) to the Government of Assam, Water Resources Department, Dispur is kept on record and marked as document "X".

JUDGE

Comparing Assistant