

GAHC010047272023



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

Case No. : WP(C)/1296/2023

RUPA DAS
W/O- LATE SATISH CHANDRA DAS, R/O- VILL.- AGIA PT-II, P.O. AGIA, DIST.
GOALPARA, ASSAM, PIN- 783129.

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM, PUBLIC
WORKS (ROADS) DEPARTMENT, ESSTT. B. BRANCH, DISPUR, GUWAHATI-
6.

2:THE STATE LEVEL SELECTION COMMITTEE
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM
PUBLIC WORKS (ROADS) DEPARTMENT
ESSTT. B. BRANCH
DISPUR
GUWAHATI-6.

3:THE EXECUTIVE ENGINEER
PWD

GOALPARA RURAL ROADS DIVISION
P.O. AND DIST. GOALPARA-783001
ASSAM

4:THE DEPUTY COMMISSIONER
GOALPARA
P.O. AND DIST. GOALPARA
ASSAM
PIN- 783101

Advocate for the Petitioner : MR. A ROSHID

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 30-01-2024

Heard Mr. A. Roshid, learned counsel for the writ petitioner. Also heard Mr. P. Nayak, learned standing counsel, PWD, Assam as well as Ms. M. Bhattachayya, learned Addl. Sr. Govt. Advocate, Assam appearing for the official respondents.

It appears that the husband of the petitioner, who was engaged as a muster roll worker under the respondent authority, died-in-harness on 23-11-2015. Having lost the sole bread earner of the family, the petitioner had submitted an application seeking appointment in any Gr-IV post, on compassionate ground. The District Level Committee (DLC), Goalpara had recommended her case. However, according to the petitioner, the State Level Committee (SLC) has not considered the recommendation of DLC made in her favour despite the orders passed by this Court in W.P.(C) No. 1783/2020 as well as the Contempt Case (C) No. 608/2022. Hence, the instant writ petition has been filed seeking a writ of mandamus.

During the pendency of this writ petition, the respondent No. 2 has filed affidavit bringing on record a copy of the resolution of the State Level Selection Committee (SLSC) adopted in its meeting held on 31-12-2018 whereby, the recommendation made by the DLC in favour of the petitioner for appointment on compassionate ground, was rejected on the ground stated therein.

Petitioner's counsel submits that his client has become aware of the said resolution of the SLSC for the first time from the affidavit of the respondent No. 2. Be that as it may, since the resolution dated 31-12-2018 is not under challenge in this writ petition, no relief can be granted to the petitioner in that regard.

As such, this writ petition stands disposed of as not maintainable. However, the present order would not come in the way of the petitioner in assailing the resolution dated 31-12-2018, on merit and in accordance with law, if so advised.

With the above observation, this writ petition stands disposed of.

JUDGE

GS

Comparing Assistant