

GAHC010124882023



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

**Case No. : WP(C)/3345/2023**

SAIFUL ISLAM  
S/O- LATE ABU BAKKAR SIDDIQUE,  
R/O- VILLAGE- DAIKHOWA (JAYBHUM),  
P.S.- LAKHIPUR, DISTRICT- GOALPARA (ASSAM).

VERSUS

THE STATE OF ASSAM AND 5 ORS.  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM,  
HOME DEPARTMENT, ASSAM,  
DISPUR, GUWAHATI-6.

2:THE DIRECTOR GENERAL OF POLICE  
ASSAM POLICE HEADQUARTER ULUBARI

GUWAHATI- 781007.

3:INSPECTOR GENERAL OF POLICE (A)  
ASSAM POLICE HEADQUARTER ULUBARI

GUWAHATI- 781007.

4:THE SUPERINTENDENT OF POLICE  
GOALPARA  
BAPIJI NAGAR  
GOALPARA

ASSAM  
PIN- 783121.

5:THE COMMANDER

1ST A.P.T.F.BN.  
DAKURBHITA  
P.S.- GOALPARA

DISTRICT- GOALPARA  
ASSAM.

6:ASIPUR RAHMAN  
S/O- LATE ABU BAKKAR SIDDIQUE

R/O- VILL.- TIAPAR  
P.O.- JOYPUR BAZAR

P.S.- PANCHARATNE

DISTRICT- GOALPARA  
ASSAM

**Advocate for the Petitioner** : MR H DAS

**Advocate for the Respondent** : GA, ASSAM

**B E F O R E**  
**HON'BLE MR. JUSTICE KARDAK ETE**

**22.05.2024**

Heard Mr. H. Das, learned counsel for the petitioner. Also heard Mr. R. Dhar, learned State Counsel for the respondents and Mr. A.M. Khan, learned counsel for the respondent no. 6.

By filing this writ petition, the petitioner has prayed for a direction to the respondent authority, particularly, Director General of Police, Assam, respondent no. 2 herein to appoint him in place of his brother, respondent No. 6 herein, who has been selected on compassionate ground at serial No. 207 of an order dated 25.05.2023, on account of the death of the father of the petitioner and the respondent no. 6.

It is contended that the petitioner and the respondents were initially had some disputes as to whom to be appointed on compassionate ground on account of the death of their father. However, by now they have resolved their disputes and decided that the petitioner be appointed in place of the respondent no. 6.

The State respondents vide order dated 25.05.2023, published a list of 231 candidates for appointment to different posts on compassionate ground. The respondent no. 6 being the son of late Abu Bakkar Siddique, who was working as A.P. T.F.Bn, unfortunately, had died on 05.11.1998 due to terrorists encounter, has been selected for appointment. The petitioner and the respondent no. 6 have decided that the petitioner be appointed in place of the respondent no. 6. The petitioner has submitted a representation dated

05.05.2023 before the Director General of Police, Assam seeking appointment of the petitioner on compassionate ground.

Having considered above and as agreed to by the learned counsel for the parties, this writ petition stands disposed of with a direction to the respondent no. 2 i.e. the Director General of Police, Assam to consider and dispose of the representation dated 05.05.2023 by taking into consideration of the fact that the petitioner and the respondent no. 6 have agreed that the petitioner may be appointed in place of the respondent no. 6 on compassionate ground, within a period of 3(three) months from the date of receipt of the certified copy of this order.

The writ petition stands disposed of.

**JUDGE**

**Comparing Assistant**