

GAHC010147942021



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

Case No. : WP(C)/4817/2021

JITENDRA SHAH
S/O LATE PUNDEW SHAH,
RESIDENT OF VILLAGE BUDORURTUP, WARD NO. 13, PO, PS AND DIST
BARPETA, ASSAM 781301

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT.OF ASSAM AND
CHAIRMAN, STATE LEVEL COMMITTEE FOR APPOINTMENT ON
COMPASSIONATE GROUND, DISPUR, GUWAHATI 06

2:THE COMMISSIONER AND SPECIAL SECRETARY
TO THE GOVT. OF ASSAM
PWD (ROADS) DISPUR
GUWAHATI
ASSAM

3:THE CHIEF ENGINEER

PWD(ROADS) CHANDMARI
GUWAHATI

4:THE CHAIRMAN DISTRICT LEVEL SELECTION COMMITTEE FOR
APPOINTMENT ON COMPASSIONATE GROUND
AND DEPUTY COMMISSIONER
BARPETA
ASSAM

5:THE EXECUTIVE ENGINEER

PWD

RURAL ROAD DIVISION
BARPETA
ASSA

Advocate for the Petitioner : MR D N BHATTACHARYYA

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

17.02.2024.

1. None appears for the petitioner on call. However, Mr. C. S. Hazarika, learned Government Advocate, Assam and Ms. M. Das, learned Standing Counsel for the PWD are present.
2. The present writ petition is filed assailing a Minutes of the Meeting of State Level Committee dated 23.12.2019 so far the petitioner is concerned, whereby the claim of the petitioner for compassionate appointment was negated by the respondents.
3. The basic ground of challenge is that in spite of this Court's order dated 27.05.2019 passed in the earlier writ proceeding filed by the petitioner being WP(C) No. 3363/2019, the respondents are not taking any action.
4. This Court under its order dated 02.02.2023 observed that in view of the earlier direction, the appropriate action would be a contempt petition not a writ petition. Accordingly, the matter was adjourned on the prayer of the learned counsel for the petitioner on 02.02.2023.
5. When the matter is listed today, Mr. C. S. Hazarika, learned Government Advocate, Assam has submitted that in its subsequent meeting held on

02.03.2023, the name of the petitioner has been recommended for appointment on compassionate ground by the SLC. A copy of such Minutes of meeting dated 02.03.2023 is also produced before this Court.

6. In view of the aforesaid, nothing survives to be adjudicated in the present writ petition. Accordingly, same stands closed.
7. The copy of the Minutes of Meeting of the State Level Committee for appointment on compassionate Ground held on 02.03.2023 at 07:00 PM in the office Chamber of the Chief Secretary to the Government of Assam, Dispur is kept on record and marked as document "X".

JUDGE

Comparing Assistant