

GAHC010152362023



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

Case No. : WP(C)/3991/2023

DEBJYOTI DAS
S/O LT. BHASKAR CHANDRA DAS, VILL.-CHANDRAPUR PART-II, P.O.-
CHANDRAPUR, P.S.-LALA, DIST-HAILAKANDI, ASSAM, PIN-788163

VERSUS

1: THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, EDUCATION DEPARTMENT (ELEMENTARY),
DISPUR, GUWAHATI-6

2: THE DIRECTOR OF ELEMENTARY EDUCATION DEPARTMENT
ASSAM KAHILIPARA GUWAHATI-19

3: THE DISTRICT LEVEL COMMITTEE FOR RECOMMENDATION OF THE
CASE FOR APPOINTMENT ON COMPASSIONATE GROUND HAILAKANDI
REPRESENTED BY THE DEPUTY COMMISSIONER HAILAKANDI DIST-
HAILAKANDI ASSAM PIN-788151

4: THE DISTRICT ELEMENTARY EDUCATION OFFICER
HAILAKANDI DIST-HAILAKANDI ASSAM PIN-78815

Advocate for the Petitioner : MR. H A LASKAR

Advocate for the Respondent : SC, ELEM. EDU

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 03-01-2024

None appears for the petitioner.

Mr. B. Deori, learned Junior Government Advocate, Assam appearing for the respondent No.3 has placed on record the minutes of the District Level Committee (DLC) held on 05.10.2021, wherein the case of the petitioner was considered for appointment on compassionate ground.

From the minutes of the said meeting, it is found that the application of the petitioner was rejected as at the time of submission of his application, he was only 12 years 10 months and 8 days old. From the records of the writ petition, it is also revealed that the petitioner's date of birth is 30.06.2000 and accordingly on the date of his application, he was under-aged.

The father of the petitioner, while working as the Headmaster of Gharmura M.E. School under Katlicherra Education Block in the District of Hailakandi, had expired on 10.10.2012 and the family has survived for the last 11(eleven) years. The requirement of an appointment under compassionate ground at such delayed point of time is not called for and accordingly, the writ petition stands dismissed.

The record as produced by Mr. Deori is returned.

JUDGE

Comparing Assistant