

GAHC010197982023



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

Case No. : WA/16/2024

DHANESWAR SARANIA
S/O- LATE HIRA SARANIA, R/O- NO.1 JALTHENGPUR, P.O.- NAOKATA, P.S.-
GORESWAR, DIST.- BAKSA, ASSAM.

VERSUS

THE STATE OF ASSAM AND 4 ORS H
REPRESENTED BY THE CHIEF SECRETARY, DISPUR, GUWAHATI-06.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
PWD (ROADS)
DISPUR
GUWAHATI-06.

3:THE DEPUTY COMMISSIONER AND CHAIRMAN
DISTRICT LEVEL COMMITTEE
KAMRUP(R)
ASSAM.

4:THE CHIEF ENGINEER
PWD (ROADS)
CHANDMARI
GUWAHATI-03.

5:THE EXECUTIVE ENGINEER
RANGIA RURAL ROAD DIVISION
ASSAM

Advocate for the Petitioner : MR H GUPTA

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

ORDER

Date : 06-05-2024

(Vijay Bishnoi, CJ)

This intra-court appeal has been filed by appellant being aggrieved with the order dated 31.05.2023, passed by the learned Single Judge in WP(C) 3091/2023. The learned Single Judge has dismissed the writ petition filed by the appellant challenging the decision of the State Level Committing, whereby the application of the appellant for appointing him on compassionate ground on account of the death of his father has been rejected.

Heard the learned counsel appearing for the parties.

The learned Single Judge has dismissed the writ petition solely on the ground that the appellant/writ petitioner had approached the Court after a delay of 4 ½ years from the date the State Level Committee had rejected the candidature of the appellant/writ petitioner for appointment on compassionate ground.

Moreover, the learned Single Judge having taken note of the fact that the scheme for appointment on compassionate ground is floated by the Government of Assam so as to give immediate relief to the family members of the deceased employee, which has lost the sole bread earner, has opined that the father of the appellant/writ petitioner expired on 19.09.2015 and, since then, for almost eight years the appellant/writ petitioner has survived without a government job.

We are of the view that the learned Single Judge has rightly refused to

interfere with the decision of the State Level Committee on the ground of delay in approaching the Court as well as on the ground that the appellant/writ petitioner has been able to survive in the meantime without a government job, therefore he is not entitled to any equitable relief from this Court.

Hence, no interference is called for with the impugned order. Accordingly, the appeal is dismissed.

JUDGE

CHIEF JUSTICE

Comparing Assistant