



Case No. : WP(C)/134/2022

VERSUS

PERSONNEL AND ADMINISTRATIVE REFORMS DEPARTMENT
NAGALAND
KOHIMA

3:THE AGRICULTURE PRODUCTION AND COMMISSIONER AND SECRETARY
TO THE GOVERNMENT OF NAGALAND
KOHIMA

4:THE DIRECTOR OF AGRICULTURE

NAGALAND
KOHIM

For the Petitioner(s) : Mr. M. Konyak, Advocate

For the Respondent(s) : Ms. Lichano, Government Advocate

**BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 26.02.2024

1. The instant writ petition has been filed by the Petitioner being aggrieved by the inaction on the part of the Respondent Authorities in considering the case of the Petitioner for grant of appointment on compassionate ground in terms with the Office Memorandum dated 17.09.2015.
2. It reveals from the records that the father of the Petitioner was serving as an Upper Divisional Assistant in the Directorate of Agriculture and while serving in the same capacity, he died in harness on 26.04.2012. It has also been stated that as per the Government Notification dated 20.01.2011, the services of the father of the Petitioner was upgraded from UDA to Assistant Superintendent (Grade-II) by Office order dated 29.05.2012. Pursuant to the death of the father of the Petitioner, the Petitioner submitted an application for appointment on compassionate ground against the resultant vacancy caused by the death of her father. However, the Petitioner's application having not been considered, the Petitioner has approached this Court by filing the instant writ petition.
3. This Court had duly taken note of the affidavit-in-opposition which has been filed by the Respondents wherein it has been mentioned that pursuant to the Office Memorandum dated 17.09.2015, an addendum dated 09.04.2019 was issued wherein Clause 11 was inserted to the Office Memorandum dated 17.09.2015. On the basis of the said addendum dated 09.04.2019,

the Scheme shall be strictly in order of the date of death and first preference shall always be given against those who had died earlier and who fulfills all other eligibility criteria. In the said affidavit-in-opposition, it has also been mentioned that the Petitioner's case is under consideration and she is at Serial No.8.

4. Taking into account that the Respondents Authorities are duly taking steps for consideration of the Petitioner's application in terms with the Office Memorandum dated 17.09.2015, this Court finds no ground for passing any additional directions save and except directing the Respondent Authorities to consider the case of the Petitioner in terms with the Office Memorandum dated 17.09.2015 as well as the addendum dated 09.04.2019.

5. With above observations and directions, the instant writ petition stands disposed of.

Sd/-

JUDGE

Comparing Assistant