



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

Case No. : WP(C)/185/2023

BEDANGANGZUK,
S/O LATE TEMJENLEMBBA,
KHENSA VILLAGE,
MOKOKCHUNG, NAGALAND

VERSUS

THE STATE OF NAGALAND AND 4 ORS
THROUGH THE CHIEF SECRETARY TO THE GOVERNMENT OF NAGALAND,
KOHIMA 2:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT
OF NAGALAND

PERSONNEL AND ADMINISTRATIVE REFORMS DEPARTMENT

NAGALAND
KOHIMA

3:THE SECRETARY

TO THE GOVERNMENT OF NAGALAND

DEPARTMENT OF LEGAL METROLOGY AND CONSUMER PROTECTION
NAGALAND
KOHIMA

4:THE ASSISTANT CONTROLLER

DEPARTMENT OF LEGAL METROLOGY AND CONSUMER PROTECTION

MOKOKCHUNG
NAGALAN

Advocate for the Petitioner : SUPONGWATI WALLING

Advocate for the Respondent : GOVT ADV NL

**BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

ORDER

Date : 26-02-2024

- 1.** Heard Mr. S. Walling, learned counsel for the petitioner.
- 2.** The petitioner has filed this application under Article 226 of the Constitution of India for issuance of writ in the nature of mandamus, certiorari or any other writ, direction, order or orders of the like nature. It is submitted that the petitioners are to be directed to strictly comply with the OM dated 17.09.2015 and the Addendum dated 09.04.2019 and provide appointment to the petitioner on compassionate ground.
- 4.** Heard Mr. M. Longkumer, learned Government Advocate for the respondents.
- 5.** The respondents have submitted an affidavit-in-opposition and vide para Nos. 4 and 5 it has been admitted by the respondents that in consonance of the OM No. AR-8/8/78 dated 17.09.2015 and the Addendum dated 09.04.2019 "**Revised Compassionate Appointment Scheme for State Government employees who died in harness**" the department of the answering respondent is maintaining a waiting list in chronological order as envisaged in Addendum dated 09.04.2019. As per the waiting list for appointment on compassionate ground, the name of the petitioner stands at serial No. 4. The petitioner is the son of an employee who died in harness on 17.08.2021 while serving as Inspector under the Department of Legal Metrology and Consumer Protection, Mokokchung, Nagaland.

6. I have considered the submissions at the Bar with circumspection.
7. As the petitioner's name is at serial No. 4, the learned counsel for the respondents have submitted that every endeavour will be made to provide appointment to the petitioner as and when possible.
8. The respondents are agreeing to provide appointment to the petitioner in compliance to the OM No. AR-8/8/78 dated 17.09.2015 and under the provisions of the Addendum dated 09.04.2019. A direction is hereby given to the respondents to make every endeavour consider the petitioner's prayer for compassionate appointment as per OM No. AR-8/8/78 dated 17.09.2015 and as per Addendum dated 09.04.2019, after taking note of his serial number at 4.
9. With the above observations, matter is closed.

Sd/-

JUDGE

Comparing Assistant