

GAHC020004922024



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

**Case No. : WP(C)/185/2024**

SHRI MOAMONGBA AO  
S/O LT. TOSHIMEREN AO  
PERMANENT R/O UNGER VILLAGE  
MOKOKCHUNG NAGALAND  
P.NO. 8798747726

VERSUS

THE STATE OF NAGALAND AND 2 ORS  
THROUGH THE COMMISSIONER AND SECRETARY GOVT. OF NAGALAND  
DEPT. OF SCHOOL EDUCATION  
NAGALAND KOHIMA            2:THE COMMISSIONER AND SECRETARY  
P AND AR DEPT.  
NAGALAND KOHIMA

3:THE PRINCIPAL DIRECTOR  
DIRECTORATE OF SCHOOL EDUCATION  
NAGALAND KOHIM

**Advocate for the Petitioner    : ALEMWAPANG AO**

**Advocate for the Respondent : GOVT ADV NL**

**BEFORE  
HON'BLE MR. JUSTICE NELSON SAILO**

**ORDER**

**27.08.2024**

Heard Mr. Arenlong, learned counsel for the

petitioner and Mr. Ajungli Sangtam, learned State Counsel appearing for the State respondents. Having regard to the nature of the case, the writ petition is taken up for disposal at the motion stage itself with the consent of the parties.

**[2.]** By filing this writ petition, the petitioner prays for a direction to the State respondents for appointing him to any Grade-IV post on compassionate basis since his father who was working as a Peon in Government Middle School died in harness on 19.08.2017. According to the petitioner, the State Government has formulated a policy for making appointment on compassionate basis and the same is notified vide Office Memorandum dated 17.09.2015. According to the petitioner, after his father expired, he submitted an application before the Principal Director, School Education Department, Govt. of Nagaland for appointment on compassionate basis. His application was supported by a recommendation made by the local MLA, who was also an advisor in Food & Civil Supplies Department. Despite the same, as his application was not considered, the petitioner thereafter submitted similar applications on 19.10.2022, 18.12.2022 and on 22.08.2024. Since his applications/representations for

compassionate appointment has not been considered till date, the petitioner is before this Court.

**[3.]** Mr. Arenlong, learned counsel for the petitioner submits that the limited prayer of the petitioner at this stage is for a direction to the respondent authorities to consider the representation of the petitioner for compassionate appointment in terms of the standing guidelines of the State Government and to dispose of the same within a time frame. The learned State Counsel has no objection to the prayer.

**[4.]** In view of above, the Principal Director, School Education Department, Govt. of Nagaland (respondent No. 3) is directed to consider the representation submitted by the petitioner on 22.08.2024 in terms of the standing guidelines for compassionate appointment and to dispose of the same by way of a speaking order within a period of six (6) weeks from the date of receipt of a certified copy of this Order. The petitioner shall furnish the respondent No. 3 a copy of the writ petition with the annexures as well along with a certified copy of this Order for appropriate action.

**[5.]** Writ petition accordingly stands disposed. The order to be passed by the respondent No. 3 shall invariably be communicated to the petitioner.

Sd/-

**JUDGE**

**Comparing Assistant**