

GAHC020007232024

2024:GAU-NL:593



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

Case No. : WP(C)/282/2024

SHRI PANGTOK KONYAK
S/O LATE S. BOLEI KONYAK
WANCHING VILLAGE
P.O. WAKCHING ADC TOWN
MON NAGALAND

VERSUS

STATE OF NAGALAND AND 3 ORS
REPRESENTED BY THE CHIEF SECRETARY
GOVT. OF NAGALAND
NAGALAND KOHIMA

2:THE COMMISSIONER AND SECRETARY
NEW AND RENEWABLE ENERGY DEPT.
NAGALAND KOHIMA

3:THE COMMISSIONER AND SECRTEARY
P AND AR DEPT.
NAGALAND KOHIMA

4:THE DIRECTOR
NEW AND RENEWABLE ENERGY DEPT
NAGALAND KOHIM

Advocate for the Petitioner : LAKNYEI PHOM, AYALA IMCHEN

Advocate for the Respondent : GOVT ADV NL,

**BEFORE
HON'BLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

14.11.2024

Heard Mr. Laknyei Phom, learned counsel for the petitioner and Mr. Mosema Longkumer, learned Government Advocate representing the State respondents.

2. This writ petition is filed praying for an Order from this Court to the respondents to appoint the petitioner under the Compassionate Scheme in a post found suitable. The petitioner's father, Late Bolei Konyak, who was serving under the Department of New & Renewable Energy as a Technician expired on 10.09.2022 while in service. An application for appointment of the petitioner was made by the mother of the petitioner as his late father was the sole earner for the family. This application was considered and the petitioner's name was shortlisted at serial No. 1 (one) by the Director, New & Renewable Energy, Nagaland in a Communication dated 25.05.2024. However, his case has not yet been considered and left with no option the present writ petition has been filed.

3. Considering the prayer made in the writ petition it is seen that the petitioner has a limited prayer seeking direction to the respondents to appoint the petitioner on compassionate ground under the establishment of Directorate of New & Renewable Energy Department, Nagaland, Kohima, under the Scheme of Compassionate Appointment.

4. Considering the prayer made and also upon perusal of the documents enclosed to the writ petition, more particularly, the

Communication dated 25.05.2024, issued by the Director, New & Renewable Energy, Nagaland, whereby the petitioner's name is shown at serial No. 1 and which reflects that 5 (five) years age relaxation under compassionate ground is available by the Office Memorandum No. AR-8/8/78, this Court is of the view that the matter be disposed of with a direction to the respondents, more particularly respondent Nos. 2 and 4, to consider the claim of the petitioner for being appointed under the Compassionate Scheme and a post which may be suitable considering the particulars of the petitioner and thereafter pass necessary orders within a time period. The direction shall be carried out by the respondents within a period of 4 (four) weeks from the date of receipt of a certified copy of this Order. In the event any orders with regard to the claim of the petitioner had already been passed by the respondents, then a copy of the same shall be furnished to the petitioner.

5. Writ petition accordingly stands disposed of in terms of the above.

6. Petitioner will file a certified copy of this Order alongwith copy of the writ petition with all the enclosures before the respondent No. 2 and thereupon the respondent No. 2 will dispose of the matter as directed within a period of 4 (four) weeks therefrom.

JUDGE

Comparing Assistant