



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

Case No. : WP(C)/335/2023

MR. MHANEILHOULIE SECU,
S/O LATE ADZEPULIE SECU,
R/O H/NO. 15, WARD-9,, MEDZIPHEMA TOWN,
CHUMOUKEDIMA, NAGALAND

VERSUS

THE STATE OF NAGALAND AND 3 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF
NAGALAND, KOHIMA 2:THE PRINCIPAL DIRECTOR

DIRECTORATE OF HEALTH AND FAMILY WELFARE
NAGALAND
KOHIMA

3:THE CHIEF MEDICAL OFFICER

DIMAPUR
NAGALAND

4:THE COMMISSIONER AND SECRETARY
TO THE GOVERNMENT OF NAGALAND
DEPARTMENT OF HEALTH AND FAMILY WELFARE
KOHIMA
NAGALAN

Advocate for the Petitioner : M. KASAR

Advocate for the Respondent : GOVT ADV NL

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

ORDER

29.08.2024

Heard Mr. M. Kasar, learned counsel for the petitioner and Mr. A. Sangtam, learned State Counsel appearing for all the respondents. Having regard to the nature of case projected by the writ petitioner, the writ petition is taken up for disposal at this stage.

[2.] It is the case of the petitioner that his father was appointed as Driver under the establishment of Chief Medical Officer, Medziphema but while serving as such, he died in harness on 30.08.2022. The petitioner therefore applied for appointment on compassionate basis in terms of the standing guidelines of the State Government including Office Memorandum dated 17.09.2015 before the Principal Director, Health & Family Welfare Department, Govt. of Nagaland through proper channel. Despite the application, as his case has not been considered for compassionate appointment, the petitioner is before this Court. The learned counsel submits that since the application was submitted by the petitioner as far back as

on 26.09.2022, the respondent authorities may be directed to consider appointing him on compassionate basis without further delay.

[3.] The learned State Counsel on the other hand submits that it is not only the petitioner whose case is to be considered as per the compassionate scheme. He submits that as per the list prepared by the Department, the petitioner's name appears at Serial No. 43 and that his case will be considered as and when his turn comes.

[4.] Considering the above position, the writ petition is disposed of with a direction to the respondent authorities to consider the case of the petitioner for compassionate appointment in terms of the Office Memorandum dated 17.09.2015 and any other relevant guidelines as and when his turn comes.

Sd/-

JUDGE

Comparing Assistant