GAHC010034242020

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

Case No. : WP(C)/1083/2020

KHALED AHMED CHOWDHURY
S/O- LATE MOINUL ISLAM CHOWDHURY, R/O- VILL AND P.O- KANAKPUR PART-II, SILCHAR 05, DIST- CACHAR, ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM, COOPERATION DEPTT, DISPUR, GUWAHATI- 06

2:THE STATE LEVEL COMMITTEE

3:THE REGISTRAR OF COOPERATIVE DEPTT

4:THE DISTRICT LEVEL COMMITTEE (DLC)

5:THE DEPUTY REGISTRAR OF COOPERATIVE SOCIETIE

Advocate for the Petitioner : MR. M KHAN

Advocate for the Respondent : SC, CO OP

BEFORE
HONOURABLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA

ORDER

Date : 11-11-2020

Heard Mr. M Khan, learned counsel for the petitioner. Also heard Mr. D Bordoloi, learned counsel for the Cooperation Department and Mr. D Nath, learned Additional Senior Government Advocate for respondents No.2 and 3.

2. The father of the petitioner who served as a Senior Inspector/Auditor in the office of the Assistant Registrar of Cooperative Societies Karimganj died in harness on 11.11.2014. On his death, the petitioner submitted an application on 29.10.2015. Admittedly the application appears to have been filed within the prescribed time limit.

3. The grievance of the petitioner is that inspite of such application being filed, it has not been placed before the concerned DLC. Mr. D Bordoloi has raised the contention that certain testimonials are required to be submitted by the petitioner in order to place the application for compassionate appointment before the concerned DLC. But inspite of being required to submit the documents, the petitioner is not cooperating.

4. The petitioner shall approach the office of the Deputy Registrar Cooperative Societies Karimganj to obtain the information as to what document is required to be furnished. Upon such enquiry, the petitioner shall submit the required documents before the Deputy Registrar. Upon the documents being submitted, the Cooperation Department shall do the needful for placing the application of the petitioner for compassionate appointment before the next available DLC of Karimganj district. In the event, the petitioner does not approach the Cooperative Societies Karimganj or does not provide with the required testimonials, the requirement of placing the claim of the petitioner before the next DLC need not be complied with.

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

JUDGE

Comparing Assistant