GAHC010053372020

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

Case No. : WP(C) 1842/2020

1:MRINAL SARANIA
S/O- LT. UMESH CH. DAS, VILL. GORBHITAR (UZIRKHAT), P.O. NIZ DHUMDHAMA, DIST- BAKSA (ASSAM), PIN- 781349.

VERSUS

1:THE STATE OF ASSAM AND 4 ORS.
REP. BY THE CHIEF SECY. TO THE GOVT. OF ASSAM CUM CHAIRMAN, STATE LEVEL COMMITTEE ON COMPASSIONATE APPOINTMENT, DISPUR, GHY.-06.

2:THE COMM. AND SECY. TO THE GOVT. OF ASSAM
HEALTH AND FAMILY WELFARE DEPTT.
DISPUR
GHY.-06.

3:THE DIRECTOR OF AYUSH
ASSAM
BANPHOOL PATH
BASISTHA ROAD
GHY.-06.

4:THE CHAIRMAN
DISTRICT LEVEL COMMITTEE ON COMPASSIONATE GROUND CUM DY. COMMISSIONER
KAMRUP(M)
PANBAZAR
GHY.-01.

5:THE PRINCIPAL
SWAHID JADAV NATH HOMEOPATHIC MEDICAL COLLEGE AND

HOSPITAL
GHY.- 37

Advocate for the Petitioner : MR. K R PATGIRI

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

Date : 06-03-2020

Heard Mr. K.R. Patgiri, learned counsel for the petitioner, who submits that the petitioner's father died in harness on 24.08.2016, while serving as L.D Assistant at Swahid Jadav Nath Homeopathic Medical College & Hospital, Guwahati-37,

The petitioner filed an application for compassionate appointment on 14.10.2016 and the same was considered by the DLC in its meeting held on 26.12.2018. The DLC recommended the petitioner for appointment on compassionate ground to a Grade-III (L.D Assistant) post. Thereafter, the Deputy Commissioner, Kamrup (Metro), Guwahati issued a letter to the respondent No. 2, forwarding the proposal of the DLC held on 26.12.2018 to be placed before the SLC.

The petitioner's counsel submits that the petitioner's application for compassionate appointment, as recommended by the DLC, has not been considered by the SLC till date. The petitioner's counsel submits that a direction may be issued to the respondent Nos. 1 & 2, to place the DLC recommendation before the SLC, for consideration of the petitioner's case for compassionate appointment, in terms of the DLC recommendation dated 26.12.2018.

Mr. N. Goswami, learned counsel appearing for the respondent Nos. 1 & 4 and Ms. S.

Sarma, learned counsel appearing for the respondent Nos. 2, 3 & 5 submit that they have got no objection to the prayer made by the petitioner's counsel.

In view of the consent of the parties, the respondent Nos. 1 & 2 are directed to place the DLC recommendation dated 26.12.2018, recommending the petitioner for compassionate appointment, before the SLC for it's consideration in its next meeting, subject to the same not being considered by the SLC earlier. If the SLC has already considered the case of the petitioner in pursuance to the DLC recommendation dated 26.12.2018 earlier, the decision taken by the SLC should be communicated to the petitioner.

Writ petition is accordingly disposed of.

JUDGE

Comparing Assistant