GAHC010151052020

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

Case No. : WP(C)/4555/2020

MANOJ KUMAR
S/O LATE DHIRAJ RAI,
RESIDENT OF VILLAGE SAHDULLAHPUR CHAKFARID,
PO MADHURAPUR, PS BIDUPUR, TEHSIL HAZIPUR, DIST VAISHALI,
BIHAR,
844503
PRESENT ADDRESS
C/O SRI UDAY KUMAR DAS,
NO. 1 MADGHARIA, GAON BURAHPATH,
PO UDYAN VIHAR, PS NOONMATI, GUWAHATI 781171
DIST KAMRUP M ASSAM

VERSUS

THE UNION OF INDIA AND 3 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INDIA,MINISTRY OF DEFENSE, ARMY HEADQUARTER, ROOM NO. 101-A, SOUTH BLOCK, NEW DELHI 110001

2:THE DIRECTORATE GENERAL OF SUPPLIES AND TRANSPORT

3:THE COMMANDANT

4:THE COMMANDAN

Advocate for the Petitioner : MR. S BARMAN

Advocate for the Respondent : ASSTT.S.G.I.

BEFORE
HONOURABLE MR. JUSTICE MANOJIT BHUYAN

ORDER

23.11.2020

Heard Mr. S. Barman, learned counsel representing the petitioner as well as Mr. S.K. Medhi, learned counsel representing all the respondents.

Petitioner claims appointment on compassionate grounds on account of the death of his father, who died in-harness while working under the respondents in the post of Mazdoor. Grievance and prayer made in the writ petition is that although he has been informed that his application has been received and will be considered on merits by a Board of Officers, which exercise was scheduled to be held in the month of April, 2020, however, the outcome of the consideration has not been intimated to the petitioner. Hence the present writ petition.

On the last occasion i.e. 05.11.2020, a direction was made to the respondents to inform this court as to the outcome of the consideration of the application of the petitioner. Today, Mr. Medhi informs this Court, upon written instructions received, that a Board of Officers had recommended the name of the petitioner for appointment on compassionate grounds in its meeting dated 13.07.2020 at Sl. No.3 as against 15 (fifteen) vacancies available under the 5% reserved quota for compassionate appointment for the year 2019. It is also stated that having regard to the fact that the application made by the petitioner is a belated one, as such, the recommendation has been sent for approval at the level of the Secretary of the Department in strict terms of Clause 9 of the Office Memorandum dated 16.01.2013 of the Government of India, Ministry of Personnel, Public Grievances and Pension (Annexure-D to the writ petition).

Having regard to the above, this Court is of the opinion that the reliefs sought for by the petitioner has already been granted. No further *lis* remains to be decided. Needless to say, any order of the higher authority in terms of the aforesaid Clause 9 of the Office Memorandum dated 16.01.2013, shall be duly communicated to the petitioner.

Writ petition stands accordingly disposed of.

A copy of the written instructions so received and produced before this Court by Mr. Medhi be retained as part of the records.

JUDGE

Comparing Assistant