GAHC010181752020

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

Case No. : WP(C)/5448/2020

PADMESWAR MILI
S/O LATE MUHIDHAR MILI, VILL. UJANI BARKHAMUKH, P.O
BARKHAMUKH, P.S. GHILAMARA, DIST. LAKHIMPUR, ASSAM.

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECY. TO THE EDUCATION
(SECONDARY) DEPTT., DISPUR, GUWAHATI 6

2:THE STATE LEVEL COMMITTEE FOR COMPASSIONATE APPOINTMENT
ASSAM REPRESENTED BY CHIEF SECY.
GOVT. OF ASSAM BEING CHAIRMAN OF THE COMMITTEE
DISPUR
GUWAHATI 6

3:THE DIRECTOR
SECONDARY EDUCATION DEPTT
ASSAM
KAHILIPARA
GUWAHATI 19

4:THE INSPECTOR OF SCHOOLS
LAKHIMPUR
DISTRICT CIRCLE
NORTH LAKHIMPUR
LAKHIMPUR
ASSAM

Advocate for the Petitioner : MR J PAYENG

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA

O R D E R

17.12.2020

Heard Mr. J Payeng, learned counsel for the petitioner, Mr. B Deori, learned counsel for the respondent No.2, Mr. SMT Chisti, learned counsel for the respondent Nos. 1,3 and 4.

2. The father of the petitioner late Muhidhar Mili was serving as a Grade-IV employee in the Barkha Baghmara High School in the Lakhimpur district, died in harness on 12.10.2011. On his death, the petitioner submitted an application for compassionate appointment on 28.12.2011. The application of the petitioner was placed before the DLC of Lakhimpur district in its meeting held on 16.02.2018. The DLC upon considering the claim of the petitioner had recommended him for a post of Grade-IV. The grievance of the petitioner is that in spite of being so recommended by the DLC, the claim of the petitioner has not been placed before the concerned SLC.

3. In view of the limited grievance, we dispose of the writ petition by directing the Commissioner and Secretary to the Government of Assam in the Secondary Education Department to place the recommendation of the DLC made in favour of the petitioner in the meeting dated 16.02.2018 before the next available SLC. It is expected that the SLC would be sitting within a short time or else our directions to be placed before the next SLC is not being taken to its logical end.

The writ petition is allowed in the above terms.

JUDGE

Comparing Assistant