

GAHC010116532022



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

Case No. : WP(C)/4357/2022

SHYAMAL ROY
S/O LT. SANKAR DAYAL ROY, R/O- VILLAGE- PACHIM AMARAKANDA,
P.O.- GARAJAN BAZAR, P.S. RUPAHIHAT, DIST.- NAGAON, ASSAM, PIN-
782124.
VERSUS
THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM,
ELEMENTARY EDUCATION DEPT., DISPUR.
2:THE DIRECTOR OF ELEMENTARY EDUCATION
KAHILIPARA.
3:THE DEUPTY COMMISSIONER CUM CHAIRMAN OF D.L.C.
NAGAON
ASSAM.
4:DISTRICT LEVEL COMMITTEE
NAGAON
REPRESENTED BY SECRETARY CUM D.E.E.O.
NAGAON
ASSAM

Advocate for the Petitioner : MR MONZUR K CHOUDHURY

Advocate for the Respondent : SC, ELEM. EDU

BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO

ORDER

21.09.2022

Heard Mr. M.K. Choudhury, learned counsel for the petitioner, who submits that the petitioner is aggrieved by the rejection of his application for

compassionate appointment by the District Level Committee (DLC) which held its meeting on 09.01.2015, by which a remark was given that the petitioner is not recommended for late submission of the application.

The learned counsel submits that the petitioner was minor at the relevant time and that the DLC has failed to consider the financial condition of the petitioner and moreover, since the petitioner was only a minor he could not have applied at that relevant time.

Issue Notice of Motion returnable by 4 (four) weeks.

Mr. G. Pegu, learned counsel appears and accepts notice on behalf of the respondent no.3 while Mr. P.N. Sarma, learned Standing Counsel for the Elementary Education Department appears and accepts for the respondent nos.1, 2 & 4.

Extra copies of the writ petition be furnished to the learned counsels for the respondents within 2 (two) days, if not already done.

List the matter after four weeks.

In the meantime, the respondents to file their counter-affidavits.

The learned counsel for the petitioner shall file an additional affidavit incorporating legible copy/typed copy of the Annexure-F2 to the writ petition.

JUDGE

Comparing Assistant