

GAHC010128602022



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

Case No. : WP(C)/4496/2022

PUSPA SARMAH @ PUSPHA SHARMA
W/O. LT. GAURANGO SHARMA @ GAURAGA SARMAH, R/O. MOJADAR
ALI, KUMAR GAON DERGAON, P.O./P.S. DERGAON, DIST. GOLAGHAT,
ASSAM, PIN-785614.

VERSUS

THE STATE OF ASSAM AND 5 ORS
REP. BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM, DISPUR,
GUWAHATI-781006.

2:THE SECRETARY
GOVT. OF ASSAM
HOME DEPTT.
DISPUR
GUWAHATI-781006.

3:THE DIRECTOR GENERAL OF POLICE
ULUBARI GUWAHATI-781007
DIST. KAMRUP (M)
ASSAM.

4:THE ADDL. DIRECTOR GENERAL OF POLICE (COMMN)
A.P.R.O.
ULUBARI
GUWAHATI-781007
DIST. KAMRUP (M)
ASSAM.

5:THE DEPUTY COMMISSIONER
DIMA HASAO
HAFLONG
ASSAM

PIN-788819.

6:THE COMMANDANT
5TH A.P. BATTALION
SONTILLA
DIST. DIMA HASAO
ASSAM
PIN-788819

Advocate for the Petitioner : MR. N K MURRY

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO**

ORDER

Date : 18-08-2022

Mr. JK Goswami, learned State Counsel appearing for the respondents submits that he has received instructions and that he may be given 2 (two) weeks' time to file counter-affidavit.

Mr. NK Murry, learned counsel for the petitioner submits that the petitioner submitted her application for compassionate appointment on 05.09.2013 (Annexure-6) but the District Level Committee (DLC) which sat on 13.11.2014 (Annexure-9) rejected her application on the ground of delay. Since the Late husband of the petitioner expired on 16.06.2013, there was no delay on the part of the petitioner to file the application for compassionate appointment.

The learned counsel for the petitioner also submits that even if there is delay, this Court in a number of cases has directed the respondent authorities to consider the applications for compassionate appointment filed beyond 1 (one) year.

As the learned Government Advocate seeks time to file affidavit, list the matter on ***2nd September, 2022.***

JUDGE

Comparing Assistant