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

Case No. : Cont.Cas(C)/576/2024

SMTI RUBI GOSWAMI
W/O- LATE MUNINDRA SARMA, R/O- VILLAGE AND P.O. MAZIRGAON,
DIST. KAMRUP(M), ASSAM

VERSUS

NARAYAN KONWAR
SECRETARY TO THE GOVT. OF ASSAM, SCHOOL EDUCATION
DEPARTMENT, DISPUR, GHY-6.

Advocate for the Petitioner : MR P SARMAH,

Advocate for the Respondent : MR S M T CHISTIE, MR. U SARMA

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

26.08.2025

Heard Mr. P. Sarmah, learned counsel for the petitioner and Mr. U. Sarma, learned counsel for the respondent/contemnor.

During the course of hearing, Mr. Sarma, learned counsel for the respondent/contemnor has produced one letter, dated 12.03.2025, issued by the

Secretary to the Government of Assam, Department of School Education and perusal of the same indicates that the claim of the petitioner for appointment, under compassionate ground, cannot be considered at that stage as the Personnel (B) Department vide OM No. ABP.104/2024/90, dated 18.09.2024, has issued direction not to entertain any cases of appointment under compassionate ground. Further, Mr. Sarma submits that pursuant to order of this court, the matter was placed before the SLC and the SLC has recommended that the Department of School Education shall take necessary steps to take a decision on the age condonation on the basis of standing OMs of Personnel Department and also to obtain views of Personnel Department so that the matter can be placed before the SLC in the next meeting. But, in the meantime, the Personnel (B) Department issued an OM No. ABP.104/2024/90, dated 18.09.2024, has directed all the departments not to entertain any cases of compassionate ground including the cases not known prior to 31.03.2017 and as per OM, the cases of employees who die/died in harness after 31.03.2017, have been taken care of in view of OM No. FEG.28/2017/26.

That, from perusal of the aforementioned letter, it appears that though the matter was placed before the SLC, the SLC has directed the Department of School Education to take a decision on the age condonation on the basis of standing OMs of Personnel Department, yet, the matter was not placed before the Personnel Department in view of OM dated 31.03.2017.

Thus, it becomes clear that the respondent/contemnor has not complied with the order of this court and therefore, Mr. Sarma, learned counsel for the respondent/contemnor has prayed for one week time to place the matter before the Personnel Department.

The prayer is allowed.

List the matter on 08.09.2025.

The letter produced before this court, shall be made part of the record, marking the same as Annexure – X.

Later on, Mr. Sarma, learned counsel for the respondent/contemnor, on instruction, submits that the matter has already been placed before the Personnel Department.

Accordingly, it is provided that Mr. Sarma, learned counsel for the respondent/contemnor shall obtain the status of the matter of the petitioner and apprise this court on the next date.

JUDGE

Comparing Assistant