

GAHC010257452025



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

Case No. : WP(C)/7052/2025

SRI SIMANTA BORA
SON OF LATE BOGAI BORA, RESIDENT OF VILLAGE-KHERONI, P.O.-SIMEN
CHAPORI, DISTRICT-DHEMAJI, ASSAM, PIN-787061

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, PERSONNEL DEPARTMENT, DISPUR, GUWAHATI-781006

2: THE STATE LEVEL COMMITTEE (SLC)
FOR APPOINTMENT ON COMPASSIONATE GROUND
REPRESENTED BY ITS CHAIRMAN-CUM-CHIEF SECRETARY
GOVT. OF ASSAM
DISPUR
GUWAHATI- 781006

3: THE SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF SCHOOL EDUCATION
DISPUR
GUWAHATI-781006.

4: THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-781019.

5: THE DISTRICT ELEMENTARY EDUCATION OFFICER (DEEO)
DHEMAJI
ASSAM
PIN-787057.

6: THE DEPUTY INSPECTOR OF SCHOOLS
JONAI

DIST. DHEMAJI
ASSAM
PIN-787060.

7:THE DISTRICT COMMISSIONER DHEMAJI-CUM-CHAIRMAN
DISTRICT LEVEL COMMITTEE (DLC)
FOR COMPASSIONATE APPOINTMENT
DHEMAJI
ASSAM
PIN-78705

Advocate for the Petitioner : MR. D BHUYAN,

Advocate for the Respondent : GA, ASSAM, SC, ELEM. EDU

Linked Case : **WP(C)/6967/2025**

SRI PRASANNA RABHA
S/O LATE RANJIT RABHA
RESIDENT OF VILL- LAKHIMPUR
P.O. TELEM
DIST. DHEMAJI
ASSAM
PIN-787061

VERSUS

THE STATE OF ASSAM AND 5 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM
PERSONNEL DEPARTMENT
DISPUR
GUWAHATI-781006.

2:THE STATE LEVEL COMMITTEE (SLC)
FOR APPOINTMENT ON COMPASSIONATE GROUND
REPRESENTED BY ITS CHAIRMAN-CUM- CHIEF SECRETARY
GOVT. OF ASSAM
DISPUR
GUWAHATI-781006.

3:THE SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF SCHOOL EDUCATION
DISPUR
GUWAHATI- 781006.

4:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHHILIPARA
GUWAHATI-781019.

5:THE DISTRICT ELEMENTARY EDUCATION OFFICER (DEEO)
DHEMAJI
ASSAM
PIN-787057

6:THE DISTRICT COMMISSIONER
DHEMAJI -CUM-CHAIRMAN
DIST. LEVEL COMMITTEE (DLC) FOR COMPASSIONATE APPOINTMENT
DHEMAJI
ASSAM
PIN-787057

Advocate for : MR. D BHUYAN
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 5 ORS.

Linked Case : **WP(C)/6839/2025**

SRI ANJALU BORO
SON OF LATE SANESWAR BORO
RESIDENT OF VILL- MANIKPUR
P.O. MANIKPUR
DIST. DHEMAJI
ASSAM
PIN- 787059

VERSUS

THE STATE OF ASSAM AND 5 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM
PERSONNEL DEPARTMENT
DISPUR
GUWAHATI-781006.

2:THE STATE LEVEL COMMITTEE (SLC)
FOR APPOINTMENT ON COMPASSIONATE GROUND
REPRESENTED BY ITS CHAIRMAN- CUM- CHIEF SECRETARY
GOVT. OF ASSAM
DISPUR
GUWAHATI-781006.

3:THE SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF SCHOOL EDUCATION
DISPUR
GUWAHATI-781006.

4:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-781019.

5:THE DISTRICT ELEMENTARY EDUCATION OFFICER (DEEO)
DHEMAJI
ASSAM
PIN-787057.

6:THE DISTRICT COMMISSIONER
DHEMAJI -CUM- CHAIRMAN
DISTRICT LEVEL COMMITTEE (DLC) FOR COMPASSIONATE APPOINTMENT
DHEMAJI
ASSAM
PIN-787057

Advocate for : MR. D BHUYAN
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 5 ORS.

BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO

ORDER

Date : 07-01-2026

Heard Mr. D Bhuyan, learned counsel for the petitioners, who submits that the petitioners are aggrieved with the speaking order dated 30.12.2022 by which the date of application for compassionate appointment submitted by the petitioners has been wrongly reflected to be belated. He submits that in fact the application was timely submitted but not considered by the respondent authority and later on through the speaking order rejected on account of late submission of application. He therefore, submits that the

same should be interfered with by this Court.

In view of above, issue notice of motion, returnable by 4 (four) weeks.

Mr. B Deuri, learned Government Advocate accepts notice on behalf of respondent Nos. 1, 2 & 7 while Ms. S Konwar, learned Standing Counsel, Elementary Education Department accepts notice on behalf of respondent Nos. 3 to 6. Notice is therefore complete.

Petitioners to serve requisite extra copies of the writ petition to the learned counsels for the respondents appearing today within 2 (two) days.

Respondents to file their affidavits on or before the next date of listing.

List the matters on ***24.02.2026***.

JUDGE

Comparing Assistant