

(2005) 03 GAU CK 0017
In the Gauhati High Court

Thounaojam Rajesh Singh

APPELLANT

Vs

State of Manipur and Anr.

RESPONDENT

Date of Decision : 17-03-2005

Acts Referred:

Citation : (2005) 03 GAU CK 0017

Hon'ble Judges : T.Nanda Kumar Singh, J

Bench : Single Bench

Advocate : S.Rupachandra Singh, Jalal Uddin, Advocates appearing for Parties

Judgement

1. Heard Mr. S.Rupachandra, learned counsel for the petitioner as well as Mr. Jalal, learned GA for the respondents.

2. Considering the nature of the case, I am of the considered view that this writ petition could be disposed of at the admission stage. The simple case of the petitioner is that the petitioner's father was serving as Fireman in the Fire Services Department, Govt. of Manipur and while he was serving as regular Fireman in the Fire Services Department, Govt. of Manipur, he died on 23.9.1999. On the death of his father, late Th.Tomba Singh, the Director, Fire Services Department Govt. of Manipur issued order bearing No. 1/12 146/ Estt.I91FS dated 24th Sept, 1999 (AnneureA/I to the writ petition) for terminating the service of his father with effect from 24.9. 1999(A.N). The further case of the petitioner is that the whole members of the petitioner's family including the petitioner were depending on the income of his father. It is also submitted that none of the members of the petitioner's family is employed either in the service of the Govt. of Manipur or in the service of the Central Govt. the petitioner's family were left with bad financial condition. The learned counsel for the petitioner, further, submits that the scheme(s) framed by the Government of Manipur for appointment under the die inharness scheme on compassionate ground cover the case of the petitioner. Such being the situation, the petitioner through his motherfiled an application dated 19.10.1999 (AnnexureA/2 to the writ petition) to the Director, Fire Services Department, Govt. of Manipur for

appointment on compassionate ground under the dieinharness scheme prepared by the Govt. of Manipur. It is also an admitted fact that vide letter bein2 No. 5/31@/MISC/99FS/ dated 9/11/2000 (AnnexureA/4 to the writ petition) of the Director Manipur Fire Services Imphal to the Deputv Commissioner Imphal West District Manipur) Govt. of Manipur; the case of the petitioner is forwarded for approval; but till date his case for appointment under the dieinharness scheme is still pending with the competent authority. Such being the situation, the learned counsel for the petitioner prays for disposing the writ petition with a simple direction.

Considering the submissions of the learned counsel for the petitioner and also the learned counsel for the respondents, I am of the considered view that this writ petition could be disposed of with a simple direction. Accordingly, the writ petition is disposed of with the direction to the respondents to consider the case of the petitioner for appointment under the dieinharness scheme(s) prepared by the Govt. of Manipur to any suitable post commensurate with his educational qualification subject to his seniority position in the list of applicants for appointment under the dieinharness scheme maintained by the concerned department and subject to availability of post if the petitioner is eligible under the dieinharness scheme as early as possible preferably within a period of six months from the date of receipt of this order.

This writ petition is disposed of.