

WP(C) No. 491 of 2018

Date of order: 13.12.2018

Shri Abdul Shahid Choudhury Vs. Union of India & Ors.

Coram:

Hon'ble Mr. Justice Mohammad Yaqoob Mir, Chief Justice

Appearance:

For the Petitioner/Appellant(s) : Mr. A.S. Siddiqui, Adv.

For the Respondent(s) : Mr. K. Paul, CGC

WP(C) No. 157 of 2014 of the petitioner was disposed of vide order dated 05.02.2015. Paragraph 5 of the order reads as under:

“5. In the above factual backdrop, this writ petition is disposed of by directing the respondents, particularly respondent No. 2 to consider the appointment of the petitioner on compassionate ground as per his turn as and when vacancy is available. Respondents are further directed to inform the writ petitioner as to what is the position of the petitioner in the said seniority list within 30 (thirty) days from today inasmuch as, the respondents had admitted in their joint affidavit-in-opposition filed on 09.06.2014 that the petitioner is in 5th position as per the said seniority list of the applicants for appointment on compassionate ground. It is made clear that the respondents should consider the case of the petitioner for appointment on compassionate ground as expeditiously as possible.”

According to the learned counsel for the petitioner, two persons have been appointed on compassionate ground by the respondent authorities out of turn, as a result whereof the position of the petitioner continues to be at Sl. No. 5.

Learned counsel for the respondents Mr. K. Paul to file an affidavit wherein, it shall be clearly indicated as to whether the two persons had been appointed out of turn or those two persons were figuring at Sl. Nos. 1 and 2 of the seniority list mentioned in paragraph 5 of the judgment as quoted above, copy of the seniority list shall also be produced.

List again.

(Mohammad Yaqoob Mir)
Chief Justice

Meghalaya
13.12.2018
“Sylvana PS”