



Serial No. 02
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 491 of 2018

Date of order: 18.02.2019

Shri Abdul Shahid Choudhury

Vs.

Union of India & Anr.

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, Adv.

i) Whether approved for reporting in Law journals etc.: Yes/No

ii) Whether approved for publication in press: Yes/No

Oral:-

1. The case as set up by the petitioner is that despite availability of vacancies, the petitioner has not been appointed on compassionate basis when according to him, two persons have been appointed. Vide judgment dated 05.02.2015 passed in WP(C) No. 157 of 2014, the petitioner on compassionate ground was required to be considered as on his turn subject to availability of vacancy. It was also noted that the petitioner at that time was figuring at 5th position in the seniority list of the applicants who had applied for compassionate appointment.

2. Learned CGC Mr. K. Paul on 13.02.2019 made a submission to the effect that in the priority list the petitioner figures at Sl. No. 6, the two persons have been given compassionate appointment figuring in the priority list at Sl. Nos. 1 and 2.

3. Today, learned counsel for the petitioner submits that now the petitioner will figure at Sl. No. 4, therefore, to be granted compassionate appointment, when vacancy arises.



4. Learned CGC would submit that basically in compliance with the direction of the Hon'ble Apex Court in the case titled "*Umesh Kumar Nagpal v. State of Haryana & Ors.: (1994) 4 SCC 138*" the priority list of such type of cases for compassionate appointment are formulated from time to time, as and when vacancies arise. The procedure for preparing the priority list of the candidates has to be in accordance with the prescribed norms.

5. It is his further submission that as and when vacancy will arise, a fresh priority list in tune with the norms will be prepared. Based on priority, candidates including petitioner seeking compassionate appointment will be given.

6. In the aforesaid background, petition is disposed of.



(Mohammad Yaqoob Mir)
Chief Justice

Meghalaya
18.02.2019
"Sylvana PS"