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

Case No. : WP(C)/1297/2026

MS SUSHMITA CHELLENG
D/O- LATE HEMA CHELLENG, R/O VILLAGE - MOIDOMIA GAON, P.O. MOIDOMIA, P.S NORTH LAKHIMPUR, DIST - LAKHIMPUR, ASSAM, PIN 787032

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT OF ASSAM, DISPUR, GUWAHATI- 6.

2:THE COMMISSIONER AND SECRETARY
GOVERNMENT OF ASSAM
HOME AND POLITICAL DEPARTMENT
DISPUR
GUWAHATI- 6.

3:THE COMMISSIONER AND SECRETARY
GOVERNMENT OF ASSAM
PERSONNEL DEPARTMENT
GUWAHATI-6

4:THE DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI
GUWAHATI- 7

5:STATE LEVEL COMMITTEE (SLC) OF COMPASSIONATE APPOINTMENT
ASSAM
REPRESENTED BY THE CHIEF SECRETARY AS THE CHAIRMAN.

6:THE DISTRICT COMMISSIONER CUM CHAIRMAN

DLC
KAMRUP METRO
HENGERABARI
GUWAHATI

Advocate for the Petitioner : MR R CHAKRAVORTY, R BASUMATARY,MR. P SARMAH

Advocate for the Respondent : GA, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

05.10.2026

Heard Shri R. Chakraborty, learned counsel for the petitioner. Also heard Shri TC Chutia, learned Senior Advocate and Additional Senior Government Advocate, Assam assisted by Shri P. Bishaya, learned counsel.

2. The matter relates to a claim for appointment on compassionate ground.

3. As per the facts projected, the father of the petitioner late Hema Chelleng was serving as an Inspector in the Assam Police under the establishment of SP (SB) Headquarter, Kahilipara, who died in harness on 16.08.2014. Her father had served the Department more than 27 years. The petitioner had accordingly applied for appointment on compassionate ground on 23.09.2014. Though the petitioner at that time had passed the Higher Secondary, subsequently she had obtained the Graduation and further qualifications and was eligible for being appointed in the Grade-III post.

4. The case of the petitioner was considered by the District Level Committee (DLC) on 19.08.2015 and was returned for re-verification to be considered in the next DLC. The meetings of the DLC were subsequently conducted on 24.10.2016 and 02.04.2018 but the name of the petitioner could not be

recommended for want of vacancy.

5. The petitioner had accordingly filed WP(C)/9138/2019 and this Court, vide an order dated 09.04.2019 had directed the DLC for a fresh consideration. Thereafter, on 23.11.2023, though the DLC had recommended the case of the petitioner for appointment in the post of Constable (UB), Grade-III and consequently, on 05.01.2024, the case of the petitioner was placed before the State Level Committee (SLC), till date the petitioner has not been informed regarding the consideration of her case by the SLC.

6. Shri Chakraborty, learned counsel for the petitioner has submitted that the SLC is under a duty to consider the case of the petitioner in terms of the existing Rules and the petitioner has a right for a fair consideration.

7. Shri Chutia, learned Additional Senior Government Advocate, Assam has submitted that on the subject of appointment on compassionate ground, there is an Executive Order dated 30.08.2025 and a Standard Operating Procedure (SOP) for disposal of such matters have been laid down. He has however fairly conceded that the Executive Order would come into effect from the date of its publication i.e. 31.08.2025.

8. In the instant case, it however appears that the case of the petitioner was placed before the SLC on 05.01.2024. Therefore, there is a requirement for the SLC to consider the case of the petitioner and give its finding in accordance with law.

9. In view of the above, this Court directs the SLC to consider and pass appropriate orders on the candidature of the petitioner claiming appointment on compassionate ground. Such consideration be made in accordance with law and communicated to the petitioner immediately thereafter.

10. The writ petition stands disposed of.

JUDGE

Comparing Assistant