

17.12.2020.
Item no. 5.
Court No.13
ap

**W.P.A. No. 4616 of 2020
(Through Video Conference)**

**Md. Akmal Hossain
Versus
The State of West Bengal & Ors.**

Mr. Priyabrata Batabyal,
Mr. Anirban Sarkar.

...For the petitioner.

Mr. Tapan Kumar Mukherjee,
Mr. Shamim-ul Bari.

...For the State.

The petitioner's father died in the year 2012. Two years later, in the year 2014, the petitioner applied for compassionate employment with the consent of his family members.

The said application was rejected by the District Inspector of Schools (SE), Murshidabad on 17th September, 2014. There is no valid explanation given in the writ application as to why the petitioner waited for six years to approach this Court challenging the impugned order.

Since the writ petition itself is hopelessly barred by the principles of delay and laches, no relief can be granted to the petitioner.

The gross family pension being paid to the wife of the said deceased, who is the mother of the petitioner, is Rs.19,469/-.

If the petitioner has sufficiently survived for a period of six years after the death of his father, the family cannot be deemed to be in any destitution or starvation. The same is also evident from the gross pension being paid to the widow of the deceased as on 2014, which may have increased by now.

For the reasons stated hereinabove, the instant writ petition shall stand dismissed.

There will be no order as to costs.

All parties are directed to act on a server copy of this order on usual undertakings.

(*Rajasekhar Mantha, J.*)