

15th October, 2020
(D/L No.14)
(SKB)

W.P.A. 5010 of 2020
With
CAN 1 of 2020(CAN 5495 of 2020) (not in file)
(Via Video Conference)

Laltu Mahato
Versus
The State of West Bengal and others

Mr. Avishek Prasad,
Mr. Sougata Mitra,
Ms. A. Dey

... for the petitioner.

Mr. Sudipto Panda

... for the respondents.

The petitioner claims compassionate appointment after the death of his father in 2002. The father of the petitioner was the sole earning member of the family.

Learned counsel appearing for the petitioner places several documents issued by the Department of Panchayat Rural Development on 8th October, 2012 recording the proposal of the petitioner for appointment on compassionate grounds. Counsel relies on a communication dated 7th August, 2019 from the office of the District Magistrate, Purulia to the Deputy Secretary, Department of Panchayat and Rural Development which states that the proposal for appointment of the petitioner under compassionate ground be accorded necessary approval and clearance from the Panchayat and Rural Development department. Counsel submits that no steps were taken by the concerned department and the petitioner was hence constrained to make a

representation dated 4th February, 2020 to the Deputy Secretary, the Joint Secretary, the District Magistrate and the District Panchayat and Rural Development Officer. Counsel places a judgment of a learned Single Judge of this Court dated 6th September, 2019 in W.P.4187(W) of 2018 and several other writ petitions by which the writ petitioners seeking compassionate appointments were granted leave to make representations addressed to the Commissioner, DPRD. The DPRD on its part would be entitled to seek further particulars on each of the applicants and review the status of appointments. Counsel submits that the petitioner is already in the waiting list for consideration and prays that the petitioner's representation be sent to the concerned authority as directed by the learned Judge.

Learned counsel appearing for the concerned respondents submits that the petitioner may be given the liberty provided that the petitioner's application is not out of time.

On hearing learned Counsel appearing for the parties, this Court is of the view that W.P.A. 5010 of 2020 may be disposed of with a direction on the Commissioner, Department of Panchayat and Rural Development to consider the representation of the petitioner dated 4th February, 2020 as part of the cases which had been directed by the learned Judge in the judgment dated 6th September, 2019.

Petitioner's case will of course be subject to the proper particulars being submitted by the petitioner and the status review of the petitioner's case by the concerned authority.

W.P.A.5010 of 2020 is disposed of in terms of the above.

(Moushumi Bhattacharya, J.)