

13.04.2021.
Item no. 310.
Court No.13
pk

**W.P.A. No. 3636 of 2021
(Through Video Conference)**

**Sanu Dolai
Versus
The State of West Bengal & Ors.**

Mr. Samsul Arefin

... for the petitioner.

Ms. Kakali Samajpati,
Ms. Sudipa Samanta

...for the State respondents.

The petitioner prays for compassionate employment on account of death of his father, Dilip Kumar Dolai, Gram Panchayet Karmee at Gopiballavpur Gram Panchayet, Gopiballavpur-I Development Block, Jhargram. The petitioner applied in June 2017 for the first time.

Although reliance is placed on a purported letter dated 14th May, 2016 addressed to the Block Development Officer, no credence can be given to the same as it does not bear any acknowledgement or receipt.

Despite the delay of about 1 year 3 months in making the application, a three-man committee went on to assess the financial status of the petitioner and his family. A report was forwarded to the Additional District Magistrate on 30th July, 2018.

The petitioner fell asleep after July, 2018 and approached the Authority on 21st February, 2020 with an application under R.T.I. Act. The same must be deemed as a pre cursor to the instant proceeding. The writ petition has been filed on 02.02.2021.

This Court notices many discrepancies in the writ petition particularly as to the date on which the petitioner applied for compassionate employment. In any event more than three years have elapsed since the last report filed by the three man committee.

In those circumstances, the matter is remanded to the office of the District Magistrate, Jhargram for consideration of the petitioner's request for compassionate employment.

The District Magistrate and/or his office shall take an independent decision on propriety of the petitioner's application uninfluenced by any observations made herein above within four months from the date of communication of a copy of this order. Any order in this regard may be communicated to the petitioner within fifteen days thereof.

With the aforesaid observations, the instant writ petition is disposed of.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)

