

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

(Through Video Conference)

WPA 6544 of 2021

Krishna Bhuiya
Vs.
M/s. Eastern Coalfields Limited & Ors.

Mr. Partha Ghosh
Mr. Amal Kumar Datta
... For the petitioner

Mr. Bijoy Kumar
... For the respondents

The petitioner claims to be the adopted son of a former employee of the Eastern Coalfields Limited. The petitioner's mother Radha Devi died-in-harness on 22nd November, 2013. The petitioner had applied for compassionate appointment to the respondent no.1. The petitioner says that he was directed to appear for an initial medical examination by a memo dated 8th April, 2015 and thereafter was served with a notice of screening on 22nd May, 2015. The petitioner was also asked by a memo dated 1st December, 2015 to submit the Deed of Adoption. The Deed of Adoption was duly submitted and the respondents also took steps to verify the same. After due verification, by a memo dated 8th June, 2017, the petitioner was informed that the final screening has taken place. No further steps have been taken thereafter.

After hearing the parties and considering the materials on record, I think justice will be subserved if the respondents no.1 and/or its competent officer authorised to decide on the issue of compassionate appointment of the petitioner is directed to take a final decision on the petitioner's application pursuant to which the memo dated 8th June, 2017 was issued as certain factual appreciation is needed. The competent authority/officer of the respondent no.1 shall pass a reasoned order after considering all details and the applicable policy, if any by affording the petitioner a hearing following the prevailing Covid-19 protocol. The entire exercise has to be completed within a period of 12 weeks from date. The reasoned order to be passed in this regard should be served on the petitioner immediately.

Nothing further remains to be adjudicated in this writ petition. The same is disposed of accordingly without any order as to costs.

Since I have not called for any affidavits, allegations made in the writ petition are deemed to have not been admitted by the respondents.

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

(Arindam Mukherjee, J.)