

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 6729 of 2021

Priya Karmakar
Vs.
The State of West Bengal & Ors.

Mr. Syed Julfikar Ali
... For the petitioner

Mr. Santanu Kumar Mitra,
Ms. Jhuma Chakraborty
... For the respondents.

The petitioner's husband, Prasanta Karmakar, was a Stenographer attached to the establishment of Additional Chief Judicial Magistrate, Asansol and died-in-harness on 20th September, 2015. The petitioner applied for compassionate appointment which was rejected by a memo dated 21st November, 2017, on the ground that the same is barred by limitation and is not maintainable in its present form and prayer. The petitioner subsequently filed further documents and by an advocate's letter dated 17th December, 2020, requested the District Judge, Paschim Bardhaman, to consider the limitation aspect as per the prevailing service rules and the circulars holding the field. In response to this letter, the petitioner has been informed that the petitioner's case for reconsidering the limitation issue has been referred to the Principal Secretary to the Government of West Bengal on 22nd December, 2020. The

petitioner is aggrieved as the petitioner's case is pending for some time, though it has been referred to the Principal Secretary, as far back as on 22nd December, 2020. The respondents say that the decision is likely to come within a short time.

Considering the prayers made in the writ petition and the submissions made by the respondents, the respondent no.1, being the Principal Secretary, Government of West Bengal, before whom the matter is pending as per the letter of the learned District Judge, Paschim Bardhaman dated 22nd December, 2020 (at page 26 of the writ petition) is directed to dispose of the matter referred to him on 22nd December, 2020 by 10th November, 2021, after considering all aspects and the supporting documents supplied by the petitioner as per the applicable rules and policy.

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.

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

(Arindam Mukherjee, J.)