

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 17296 of 2021

Bapi Mondal
Vs.
The Union of India & Ors.

Mr. Narayan Ch. Mondal
Ms. Mousumi Chatterjee
Mr. Chandan Chakraborty
... For the petitioner

Mr. Anirban Mitra
... For the Union of India

Affidavit of service filed in Court today is taken on record.

The petitioner's father while serving Central Industrial Security Force (in short "CISF") as a Constable died on 30th August, 2020. According to the petitioner, apart from him, the widow and two married daughters are the legal heirs of the deceased employee. The other legal heirs have consented to the petitioner in applying for and getting compassionate appointment in CISF. The petitioner had made an application and has also supplied the requisite documents, but the same has not yet been processed.

On behalf of the respondents, it is submitted that the petitioner does not qualify so far as the minimum height is concerned. That apart, the post of Group-D

wherein compassionate appointments were given has been abolished vide CISF Circular dated 29th/30th April, 2010.

Be that as it may, the respondents are obliged to dispose of the petitioner's application for compassionate appointment on merits.

In such circumstances, I direct the respondent no.4, being the Commandant, Central Industrial Security Force Unit IOCL Paradip, Jagat Singhpur, Odisha, to take a decision on the petitioner's application for compassionate appointment within a period of eight weeks from date by passing a reasoned order after affording the petitioner a reasonable opportunity of representing his case following the Covid-19 prevalent protocol. The respondent no.4, within seven days from the date of passing such order, shall communicate the same to the petitioner. The respondent no.4 shall be free to decide the petitioner's application without being influenced in any manner by the instant order since I have not gone into the merits of the same.

The parties, including the respondent no.4, shall act on the basis of a server copy of this order without insisting upon production of a certified copy thereof.

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.)