

Item No. 17

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

06.01.2021
Ct-24

W.P.A. 9815 of 2020
Sushanta Halder
v.
State of West Bengal & Ors.

Mr. Bikash Shaw
... for the petitioner.

Mr. Tapas Kumar Ghosh
Mr. Tanmoy Chowdhury
... for the respondent nos. 2 to 4.

The petitioner seeks compassionate appointment in the died-in-harness category. The mother of the petitioner was an employee of the Hooghly-Chinsurah Municipality who died-in-harness on November 12, 2013.

The petitioner has been intimated by a communication dated April 12, 2018 by the Chairman of the Hooghly-Chinsurah Municipality that his name has been enlisted in Serial No. 34 of the list under the died-in-harness category. The petitioner has also been intimated that as the office has not received the necessary permission from the office of the Directorate of Local Bodies, West Bengal for filling up the sanctioned post, accordingly the employment cannot be provided to him.

The learned advocate appearing for the municipality submits that as the municipality has already recommended the name of the petitioner, they have no role to play at this stage.

As it appears that the name of the petitioner has already been recommended by the municipality and has been kept pending at the end of the said respondent for a considerable period of time the Court thinks it fit to grant leave to the petitioner to file a composite representation before the Principal Secretary, Department of Urban Development and Municipal Affairs annexing all documents in his support. The said respondent shall consider the application of the petitioner strictly in accordance with law within a period of eight weeks from the date of receipt of the application. The said respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

W.P.A. No. 9815 of 2020 stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(**Amrita Sinha, J.**)