

Item No. 18

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

06.01.2021
Ct-24

W.P.A. 9816 of 2020
P Ramu Harijan
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 prays for appointment on compassionate ground under the died-in-harness category. The father of the petitioner was an employee of the Hooghly-Chinsurah Municipality who died-in-harness on October 15, 2001. Immediately after the death of his father the petitioner applied before the municipality for being appointed on compassionate ground. The petitioner submits that the municipality has permitted him to work as a casual worker for the last ten years but no steps have been taken for providing regular appointment to the petitioner. The petitioner thereafter again made further application before the municipality for being appointed on regular basis.

By a communication dated April 12, 2018 the petitioner has been intimated that the municipality has

already forwarded his name to the Director of Local Bodies but without the approval from the officer of the Director of Local Bodies the municipality is not in a position to provide employment to him. He complains that no steps have been taken in the matter since then.

The learned advocate appearing for the municipality submits that the municipality has already forwarded the name of the petitioner for being appointed on compassionate ground. Without the approval of the office of the Directorate of Local Bodies the municipality is not in a position to provide employment to him.

As it appears that the matter is pending consideration at the end of Director of Local Bodies no useful purpose will be served by keeping the writ petition pending.

The writ petition is accordingly disposed of by directing the Principal Secretary, Department of Urban Development and Municipal Affairs (Municipal Affairs Branch) to take a decision with regard to the prayer of the petitioner for being appointed on compassionate ground, strictly in accordance with law, within a period of eight weeks from the date of communication of a copy of this order. The said respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

W.P.A. No. 9816 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.**)