

W.P.A. 11596 of 2020

Anup Kumar Bera
-vs.-
State of West Bengal & Ors.

Mr. Soumen Chatterjee
Mr. Sunny Nandy
Mr. Jamal Singha Roy
Mr. Subha Pathak

... for the petitioner

Mr. Amal Kr. Sen

... for the C.S.T.C.

The writ petitioner has prayed for compassionate employment in place and stead of his father who died in harness. The application has been made belatedly. Even the writ petition is bad in delay in latches.

Mr. Amal Kr. Sen, Learned advocate for the C.S.T.C. submits that an affidavit has already been affirmed by the then Principal Secretary of the Transport Department, Govt. of W.B., Mr. Alapan Bandopadhyay in various other matters that there is no scheme for compassionate employment in the C.S.T.C.

Mr. Sen produces an order of a Coordinate Bench of this court dated 19.05.2017 passed in W.P. 4467(W)/2017 whereby the above submission has been duly recorded.

It is now well settled that in absence of any scheme for compassionate employment, no right can accrue to the legal heirs of a deceased employee.

However, in the event, the C.S.T.C. engages any

person on contract basis, the case of the petitioner shall be considered for the same in accordance with any scheme that may be prepared or any existing scheme in that regard.

With the above observations, the instant writ application stands **disposed of**, however, without any order as to costs.

Affidavit of service filed is kept with the record.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Rajasekhar Mantha, J.)