

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 591 of 2022

Amit Laha
Vs.
The General Manager,
Punjab National Bank & Ors.

Mr. Arunava Pati
... For the petitioner

Ms. Parna Roy Choudhury
Ms. Payel Ghosh
... For the respondent Bank

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

The petitioner's father was an employee of United Bank of India now known as Punjab National Bank and died-in-harness on 20th August, 2018. The petitioner sought for compassionate appointment. The petitioner's application has been rejected by a cryptic order dated 12th November, 2021. The petitioner is aggrieved by such rejection as no reasons, according to the petitioner, has been provided in the said order.

Compassionate appointment is not a matter of right but is provided in terms of the prevailing policy of the employer to allow the affected family to tide over the sudden financial crisis arising out of the death of the bread earner. Catena of decisions have settled the law for

granting compassionate appointment and the parameters required to be considered.

Looking at the order impugned in the light of the prevailing law, I think that the same should be set aside by directing the Competent Authority of the respondent Bank (Punjab National Bank) to consider the petitioner's application afresh within a period of four months from date and dispose of the said application by a reasoned order after affording the petitioner a reasonable opportunity to represent his case. The reasoned order shall be communicated to the petitioner within ten days from the date of passing of the same.

It is made clear that I have not gone into the merits of the matter and the authority concerned shall be free to decide the issue independently without being influenced in any manner by the instant order.

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.

The parties shall act on the basis of a server copy of this order without insisting upon production of a certified copy thereof.

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

(Arindam Mukherjee, J.)