

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

(Through Video Conference)

WPA 1180 of 2022

Suman Dewanji
Vs.
The Union of India & Ors.

Mr. Anil Kumar Chattopadhyaya
... For the petitioner

Mr. Indrajeet Dasgupta
... For the UOI

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

The petitioner's father was an employee of the Income Tax Department and died-in-harness on 29th May, 2020. The petitioner is seeking compassionate appointment.

Although, a previous writ petition for release of the terminal benefits of the deceased employee at the instance of the petitioner was entertained by this Court but in view of the provisions of Section 15 of the Administrative Tribunals Act, 1985 (hereinafter referred to as the "said Act"), this Court lacks jurisdiction to entertain a writ petition with a prayer for compassionate appointment in the Income Tax Department.

The writ petition is dismissed for lack of jurisdiction of this Court in receiving, trying and determining the issues put forth in the instant writ petition.

Dismissal of the writ petition will, however, not prevent the petitioner from approaching the jurisdictional Tribunal constituted under the said Act for the selfsame reliefs.

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

(Arindam Mukherjee, J.)