

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 2195 of 2020

Umesh Sukul
Vs.
Union of India & Ors.

Mr. Tusher Kanti Mukherjee
Mr. Tapas Kumar Saha
... For the petitioner

The petitioner's brother was employed in the Indian Army and died in a train accident on 8th October, 2016. The petitioner had applied for compassionate appointment on 10th December, 2019, i.e., after about three years from the date of death of his brother.

In view of the provisions of Section 3(o)(ii) of the Armed Forces Tribunal Act, 2007, this Court lacks the jurisdiction to receive, try and determine the instant writ petition.

The writ petition is dismissed for lack of jurisdiction.

Dismissal of this writ petition will not prevent the petitioner from filing an application on the selfsame cause before the appropriate forum, if permissible in law.

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

(Arindam Mukherjee, J.)