

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 3931 of 2022

Pinaki Dey
Vs.
The Chairman, Kolkata Port Trust & Ors.

Ms. Sweta Mukherjee
... For the petitioner

Mr. Arabinda Sen
Mr. Tapan Bhanja
... For the respondents

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

The petitioner's father was an employee of
Kolkata Port Trust (in short "KoPT") now known as
Syama Prasad Mookerjee Port, Kolkata, who died-in-
harness on 4th September, 2020. The petitioner has
made an application through an electronic mail dated 7th
January, 2022 for compassionate appointment. The
petitioner says that his application has not been
considered and disposed of as yet.

On behalf of the respondents no.1 and 2, it is
submitted that the petitioner's application is not in
proper format accompanied with supporting documents.
The application is also made beyond six months being
the permissible time period provided for making an
application for compassionate appointment.

So far as the time limit is concerned, the period between September, 2020 till 7th January, 2022 is of uncertainty owing to the pandemic. The six-month time period, if there be any, therefor, has to be relaxed in the instant case.

The petitioner shall meet the head of the Pension Cell of KoPT (Syama Prasad Mookerjee Port) on 22nd March, 2022 at 12 noon so that the details and particulars, which are required as per KoPT to support the petitioner's application for compassionate appointment, be made known to the petitioner so that the application is in proper form with necessary supporting documents.

The petitioner on being made known about the documents shall, within 21 days therefrom, file a complete application with all necessary supporting documents with the concerned office of KoPT.

In the event such application is made within the time frame provided in this order, the KoPT (Syama Prasad Mookerjee Port) authorities shall dispose of the petitioner's application within two months from the date of the same being made by a reasoned order after giving the petitioner an appropriate opportunity of hearing. The time frame is required to be strictly adhered to or else

the whole basis of the policy of compassionate appointment will be frustrated by delay.

The parties, including the officer concerned of KoPT (Syama Prasad Mookerjee Port), shall act on the basis of a server copy of this order without insisting upon production of a certified copy thereof.

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.

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

(Arindam Mukherjee, J.)