

Sl. No.113
10.08.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 5275 of 2022

Biswajit Majhi
Versus
The State of West Bengal & Ors.

Mr. Mahadeb Sarkar
Mr. Soma Chakraborty

... for the petitioner

The petitioner prays for compassionate appointment.

In compliance of the direction passed by the Court on 28th April, 2017 in the earlier writ petition filed by the petitioner being WP 12348 (W) of 2017, the Three Men Committee Enquiry Report was prepared and forwarded by the Block Development Officer, Gaighata, North 24 Parganas to the District Panchayat & Rural Development Officer, North 24 Parganas on 30th July, 2019. The Three Men Committee Enquiry Report strongly recommended appointment in favour of the petitioner.

The petitioner alleges that despite recommendation, the respondent authorities are yet to take a decision with regard to providing appointment to the petitioner or to issue appointment letter in favour of the petitioner.

The respondent authorities ought to keep in mind that prayer for engagement on compassionate ground is to be disposed of on urgent basis without keeping the same pending for such long period of time, as the sole idea of providing compassionate appointment is to help the family tide over the sudden financial crisis faced by the family on the death of the bread earner.

In the present case, the employee expired on 4th February, 2014. Though there is a recommendation in favour of the petitioner, the respondents are still not ready to issue appointment letter in his favour. The aforesaid stand of the respondent cannot be appreciated at all.

The Commissioner, Panchayats and Rural Development is directed to take a decision on consideration of the Three Men Committee Enquiry Report in accordance with law, at the earliest, but positively within a period of six weeks from the date of communication of this order.

The Commissioner shall intimate the petitioner the fate of his application for appointment on compassionate ground immediately thereafter.

The petitioner is directed to forward the copy of the Three Men Committee Enquiry Report to the Commissioner at the time of communicating the order of this Court.

The writ petition stands disposed of.

Affidavit of service filed in Court is taken on record.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)