

Court No. 17

WPA 9323 of 2022

13.12.2022

(AD 135)

(S. Banerjee)

Sayak Kundu

Vs.

The State of West Bengal & Ors.

Mr. Biswarup Nandy
Mr. Rajesh Kumar Shah
Mr. Saurav Halder

... for the petitioner

This is a matter of died-in-harness case. The petitioner's mother, who was a Group C staff of a school, expired on 16.03.2014. When the petitioner's mother expired, the petitioner was 12 years old. He reached majority after six years, i.e., in 2020 and reaching the majority he has filed an application. But the die-in-harness policy in general is to tie over the immediate crisis due to the death of the earning member of a family. Here it appears that the petitioner's father was alive and it has not been stated whether he is an employed person or not.

In any event the immediate crisis which was faced by the family due to the death of the petitioner's mother has already been over by passage of time. This writ application has been filed in 2022, i.e., after two years from the year of attaining majority by the petitioner. This also shows that they did not have any acute crisis

so that his case can be considered for giving him the benefit of died-in-harness scheme for the death of his mother. From the facts and circumstances of this matter it is found that this application is much delayed which is not entertained by this court since had there been any real crisis for the death of the earning member, the steps would have been taken immediately thereafter as the hunger and the demand for basic necessities are a daily and regular matter.

I do not entertain this case for having no reason for filing the matter in such a delayed stage and the application is dismissed.

(Abhijit Gangopadhyay, J.)