

Item No. 118 (ML)

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

12.09.2022
Ct-24

WPA 12573 of 2021

Kalosona Hari
v.
The State of West Bengal & Ors.

Mr. Subhas Chandra Atha
Mr. Payel Paramanik
... for the petitioner.

Mr. Sudipta Panda
Ms. Munmun Tewari
... for the State.

The petitioner prays for appointment on compassionate ground under the died-in-harness category. The father of the petitioner was an employee of the Bankura Municipality. He died-in-harness on June 9, 2003. The petitioner immediately thereafter applied for providing appointment on compassionate ground.

The Bankura Municipality forwarded the list of applicants who applied for compassionate appointment to the Deputy Director of Local Bodies by a Memo dated March 24, 2011.

The petitioner thereafter time and again made representations before the Municipality enquiring about

the fate of his application. It has been submitted that no decision has been taken in the matter till date.

Learned advocate representing the State respondents does not have any instruction in the matter.

The matter relating to appointment on compassionate ground is required to be dealt with on urgent basis, as the same involves the livelihood of the family member of the deceased employee. To save the family member of the deceased employee from the immediate financial crisis faced on the death of the bread earner a decision ought to be taken in the matter immediately.

In the present case, it appears that the Deputy Director of Local Bodies is yet to take a decision in the matter. As the list of the applicants was forwarded way back in March 2011, it is high time that the authority take a decision with regard to the prayer of the petitioner as per the list forwarded by the Municipality.

In view of the above, the writ petition stands disposed of by directing the respondent no. 3 to take a decision with regard to the application of the petitioner forwarded by the Municipality for being appointed on compassionate ground, in accordance with law, at the earliest, but positively within a period of eight weeks from the date of communication of a copy of this order.

The aforesaid respondent shall intimate the fate of the application to the petitioner immediately thereafter.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)