

24.03.2022

Sl. No. 39

Court No.26

B.M.

WPA 11914 of 2018

Manabendra Das

Vs.

The State of West Bengal & Ors.

(Via Video Conference)

Mr. Prosenjit Mukherjee

Mr. Jahangir Hossain

Mr. Saptarshi Chakraborty

... for the petitioner

Mr. Swapan Kumar Datta, AGP

Mr. Tapas Kumar Dey

... for the State

Mr. Swapan Kumar Dutta, learned AGP, handed over the copy of memo No.995/PN/O/III/2A-49/2022 dated 18.02.2022, let the same be kept with the record.

The petitioner has prayed for a direction upon the respondents for appointment on compassionate ground.

The father of the petitioner was working as U.D Assistant in Malda Zilla Parishad. The father of the petitioner died in harness on 16th October, 2008. After the death of the father, the petitioner had made an application to the concerned authority on 05.03.2009 requesting for appointment on compassionate ground. The other legal heirs have also submitted their no objection for appointment of the petitioner on compassionate ground. Although the authorities have considered the case but no final order is passed. The

counsel for the respondent has handed over a communication dated 18th February, 2022 issued by the Joint Secretary to the Government of West Bengal, Panchayats & Rural Development Department to the District Magistrate, Malda wherein it is requested for taking appropriate action for issuance of appointment in favour of the petitioner after observing all formalities.

The counsel for the respondent submitted that as the Government of West Bengal had already directed the District Magistrate, Malda for taking appropriate steps and as such the writ petition can be disposed of by directing the respondent no.5, the District Panchayat & Rural Development Officer for taking appropriate steps for appointment of the petitioner on compassionate ground in terms of the letter dated 18th February, 2022.

Considered the submissions made by the respective parties, documents available on record and the letter dated 18th February, 2022, this Court finds that no purpose should be served for keeping the matter pending as the Government has already issued direction upon the appropriate authority for issuance of the appointment order in favour of the petitioner.

In view of the above, the writ petition is disposed of by directing the respondent no.5 to comply with the direction dated 18th February, 2022 by issuance of an order of appointment to the petitioner after compliance of

all formalities including the Police verification and medical examination within a period of four weeks from the date of communication of this order.

WPA 11914 of 2018 is thus, disposed of.

(Krishna Rao, J.)