

Item No. 8

22.07.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 12853 of 2022
Chaitali Roy (Mandal)

v.

The State of West Bengal & Ors.

Mr. Kazi Sajjad Alam

Mr. Sayan Raul

... for the petitioner.

None appears on behalf of the State respondents
despite service.

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

The petitioner seeks compassionate appointment.
The father of the petitioner was a Tax Collector Sarkar
under the Arambagh Municipality. He died-in-harness
on November 4, 2014.

The application of the petitioner for appointment
on compassionate ground was forwarded by the
Chairman of the Arambagh Municipality to the Deputy
Director of Local Bodies by a Memo dated February 17,
2015. The memorandum mentions that as per the office
roster of the clerk it appears that there is a vacancy in
the sanctioned post under the exempted category which
may be filled up by giving appointment to the applicant.
The case was duly recommended for providing
appointment on compassionate ground sympathetically.

As no steps were taken by the Deputy Director of Local Bodies, the petitioner through her learned advocate filed a demand justice notice before the respondent authorities. On receipt of the said representation, the Arambagh Municipality once again forwarded the documents of the petitioner to the Director of Local Bodies & Joint Secretary, Municipal Affairs Department, Government of west Bengal recommending the appointment on compassionate ground. The same is yet to be disposed of.

The Director of Local Bodies failed to appreciate that prayer for compassionate appointment ought to be dealt with on urgent basis as the same is meant to provide financial relief to the family of the deceased employee and should not be kept pending for years together. Moreover, the case of the petitioner has already been recommended for appointment in the vacancy that is available.

As it appears that repeated recommendations by the Municipality in favour of the petitioner have remained unconsidered by the Director of Local Bodies, accordingly, the instant writ petition is disposed of by directing the Director of Local Bodies to consider the prayer of the petitioner for providing appointment on compassionate ground relying on the recommendation made in her favour by the Municipality.

Decision shall be taken in the matter at the earliest but positively within a period of eight weeks from the date of communication of a copy of this order.

The Director of Local Bodies shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

The petitioner is directed to forward a copy of the communication dated February 17, 2015 made by the Chairman of the Arambagh Municipality and the communication dated March 8, 2021 made by the Arambagh Municipality to the aforesaid respondent at the time of communicating the order of this Court.

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.)