

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 14795 of 2022

Bandana Das
Vs.
Union of India & Ors.

Mr. Debanik Banerjee,
Mr. Anirban Roychowdhury,
Mr. Akash Ganguly
... For the petitioner

Ms. Usha Doshi,
... For the respondent nos. 2, 3 and 4

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

The petitioner is a widow of an employee of
Union Bank of India, who died-in-harness on 4th
August, 2020. The petitioner has sought for
appointment on compassionate ground from the
respondent-Bank.

The petitioner says that although a meeting
was held with the Branch Manager on 3rd March, 2021
in connection with the petitioner's claim for
compassionate appointment, nothing further has
happened with regard to such appointment.

Compassionate appointment as is now well
settled is not a matter of right. No mandatory order as
such for grant of compassionate appointment can be
passed.

The whole object of granting the same is to provide solace to the bereaved family to tide over the crisis due to the death of the sole bread earner. It is therefore an exception to the provisions of Article 14 of the Constitution of India.

In the aforesaid facts and circumstances, I direct the petitioner to make a specific representation to the respondent no. 3 seeking compassionate appointment by August 10, 2022.

In the event such representation is made, the respondent no. 3 shall dispose of the same by a reasoned order after affording the petitioner an opportunity of hearing within a period of three months from the date of representation.

The respondent no. 3 shall be free to deal with the issue independently without being influenced in any manner by the instant order since I have not considered the petitioner's case on merits.

Nothing further remains to be adjudicated in this writ petition. The writ petition is accordingly disposed of without, however, any order as to costs.

Since I have not called for any affidavits, allegations made in the writ petition are deemed to have not been admitted by the respondents.

All parties including the respondent no. 3 shall act on a copy of the order duly downloaded from the official website of this Court without insisting upon production of a certified copy thereof.

Since the respondent no. 3 is represented through counsel, the said respondent is not entitled to a further notice. However, by way of abundant caution, the petitioners may serve a server copy of this order along with a copy of the writ petition upon the respondent no. 3 within a period of seven days from date.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Arindam Mukherjee, J.)