

S/L 31
19.05.2022
Court. No. 19
GB

WPA 16435 of 2021

Sova Rani Halder
VS
The State of West Bengal & Ors.

Ms. Sipra Chanda.

...for the Petitioner.

*Ms. Chaitali Bhattacharya,
Mr. Kartik Chandra Kapas.*

...for the State.

The petitioner claims compassionate appointment. The mother of the petitioner, who was an ASHA Karmee, expired on May 13, 2014. The petitioner applied on December 8, 2015. It is submitted that the District Project Officer, ICDS Project, South 24 Parganas has not processed the application of the petitioner.

Ms. Bhattacharya, learned senior Government advocate submits that the petitioner applied one and half years after the death of her mother, although such application ought to have been made within six months. It is next submitted that more than seven years have lapsed and the purpose of granting compassionate appointment does not survive. The family was able to tide through the crisis in the intervening period.

The Court does not find that the petitioner had applied in the prescribed format. The scheme, which was prevailing at the relevant point of time is also not before the Court. As such, it is not for the Court to decide the petitioner's claim for compassionate appointment in the

facts and circumstances of the case and also because seven years have passed since the death of her mother.

However, the petitioner is entitled to know the fate of her application.

Under such circumstances, the District Project Officer, South 24 Parganas is directed to treat the writ petition as a representation and pass a reasoned order. The petitioner shall be informed about the fate of her application vide a reasoned order to be passed by the authority. The decision shall be communicated to the petitioner within a period of two months from date of communication of this order.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the learned advocate's communication.

(Shampa Sarkar, J.)