

09.06.2022.
Item No. 32.
Court No.13
pk

W.P.A. No. 19706 of 2019
Ritwik Sarkar
Versus
The State of West Bengal and others

Mr. Sudipta Dasgupta,
Mr. Sumitra Das,
Mr. Riya Chatterjee

...For the petitioner.

Ms. Kakali Samajpaty

... for the State.

It appears that the petitioner's father died in harness. In his place, the elder brother of the petitioner was given compassionate appointment. The said elder brother also died in 2008, and the mother of the petitioner applied for compassionate appointment. In view of a claim by a third person that she is the lawful wife of the deceased older brother, the application of the petitioner's mother was not pursued. The younger son, who is the petitioner, has now come forward claiming compassionate appointment in place and stead of his deceased elder brother.

Counsel for the petitioner also submits that he has no objection if the mother's application of 2008 is revived and compassionate appointment is given to her.

This Court notices that the mother of the petitioner, did not pursue or press the application for compassionate appointment from 2008 onwards. The

mother is not even there before this Court. The petitioner has never applied for any compassionate appointment. The question of considering his application in place and stead of the mother, does not and can not arise.

In that view of the matter, no relief can be granted to the petitioner.

The writ petition is disposed of without any orders.

There will be no order as to cost.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)