

24.11.2022
DL-13
(PP)
Ct.21

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 22874 of 2022

Bikash Prasad
Vs.
Coal Mines Provident Fund Organization & Ors.

Mr. Shambhu Nath Ray,
Ms. Sharmistha Roychowdhury,
Ms. Tuhina Parvin
....for the petitioner.

Mr. Kallol Guha Thakurta
....for the respondents.

Affidavit of service filed in Court today be retained with the records.

The petitioner's father worked as a sweeper with the Regional Commissioner, Coal Mines Provident Fund, Usha Gram, Asansol, West Bengal. Due to a medical emergency, the petitioner's father took voluntary retirement from service. The petitioner and/or his father made three applications/representations to the Regional Commissioner/Commissioner, Coal Mines Provident Fund for compassionate appointment on January 13, 2021; July 2, 2021 and August 10, 2022.

Mr. Ray, learned counsel, appearing on behalf of the petitioner submits that despite the aforesaid representations, the same was not considered by the

respondent no.2/the Regional Commissioner, Coal Mines Provident Fund.

Mr. Guha Thakurta, learned counsel, appearing on behalf of the respondents submits that there is no scheme for compassionate appointment, that is prevalent with the office of the Regional Commissioner, Coal Mines Provident Fund.

Having considered the rival submissions of the parties and the materials placed on record, this court is of the view that justice will be subserved if the representations dated January 13, 2021; July 2, 2021 and August 10, 2022 is directed to be considered by the respondent no.2.

Let such representations be considered within 6 weeks from date upon giving an opportunity of personal hearing to the petitioner. Let the representations be disposed of by a reasoned order. Such reasoned order shall be communicated to the petitioner within 2 weeks of passing of the same.

With the direction aforesaid, **WPA 22874 of 2022 is disposed of.**

Since no affidavits have been invited in the present writ petition, allegations contained therein are deemed not to have been admitted by the parties.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Hon'ble Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Lapita Banerji, J.)