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12.12.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 23870 of 2022

**Gouranga Bhowmick
-versus
The State of West Bengal & Ors.**

**Ms. Joyita Ray,
Mr. Rameshwar Sinha.
...For the Petitioner.**

**Mr. Tapan Kumar Mukherjee,
Ms. Debdooti Dutta.
...For the State.**

**Mr. Ayan Banerjee,
Ms. Debasree Dhamali.
...For the Municipality.**

The father of the petitioner was serving in Bally Municipality as a permanent staff. He died-in-harness on 17th June, 2017.

The petitioner applied seeking compassionate appointment in September 2019 before the Howrah Municipal Corporation with which the Bally Municipality stood merged at that point of time.

After the de-merger, the petitioner made representation before the Bally Municipality in June 2022.

The petitioner complains that none of the representations has been taken up for consideration.

Learned advocate appearing for the respondents submits that the issue of compassionate appointment of the heirs and legal representatives of the deceased employee of the Municipality is pending consideration before the Hon'ble Supreme Court.

No order has been produced before this Court to show that the Hon'ble Supreme Court passed any order restraining the Municipalities to proceed with consideration of the applications made by the heirs of the deceased employees seeking compassionate appointment.

Be that as it may, as it appears that the application of the petitioner seeking compassionate appointment is pending consideration before the Municipality, accordingly, the writ petition is disposed of by directing the Bally Municipality to take steps for consideration of the said application in accordance with law at the earliest, but positively within a period of eight weeks from the date of communication of a copy of this order.

If the Municipality is of the prima facie opinion that the petitioner will be entitled to appointment on compassionate ground, then necessary consequential steps shall be taken by the Municipality.

A reasoned order shall be passed and communicated to the petitioner disclosing the fate of his application immediately upon consideration of his application.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)