

Item No. 58

23.12.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 26583 of 2022
Rita Mallick

v.

The State of West Bengal & Ors.

Mr. Shahan Shah
Mr. Soumen Barman
... for the petitioner.

Mr. Abdus Salam
... for the State.

Mr. Alok Kumar Ghosh
Mr. Arijit Dey
... for KMC.

The father-in-law of the petitioner was an employee of the Kolkata Municipal Corporation. He died-in-harness on January 22, 2007. The husband of the petitioner i.e. the son of the employee died on November 15, 2007. The petitioner prays for compassionate appointment.

The petitioner claims that representation was made for providing appointment on compassionate ground in the year 2008 followed by repeated reminders.

Prayer has been made for issuance of a writ of mandamus directing the respondent authorities to consider the representation filed by the petitioner seeking compassionate appointment.

It appears from the documents annexed to the writ petition that the employee died in January 2007. The purpose for providing compassionate appointment is to

provide the family immediate financial relief faced on the death of the bread-earner.

In the present case, the father-in-law of the petitioner expired long ago. Compassion cannot be shown to the petitioner at such a distant point of time.

Accordingly, the petitioner's prayer for being appointed on compassionate ground cannot be allowed by the Court.

The writ petition fails and is hereby dismissed.

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

sh

(Amrita Sinha, J.)