

Ct. 14.12
No. 14 2022
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W.P.A. 27023 of 2022
Soumik Singha
-Versus-
The State of West Bengal & Ors.

Mr. Debdutta Dutta
Mr. Suvam Dutta **...For the Petitioner**

Mr. Tapan Kumar Mukherjee
Ms. Saheli Mukherjee **...For the Respondents**

The petitioner's father Late Sankar Kanta Singha was a Clerk-cum-Cashier-cum-Typist of A.P.C. Blind School, Nabadwip, Nadia. His father died in harness on 12th April, 2015. He applied for appointment on compassionate ground on 15th September, 2015. But, he was informed that his application for appointment on compassionate ground was rejected.

The petitioner avers that the Authority concerned rejected the application made by him without assigning any reason. The petitioner alleges that since the death of his father, retiral benefits, which were admissible to his deceased father have not yet been paid to him. Under such circumstances, the petitioner by filing this writ petition seeks the following reliefs :-

“a. A writ of and/or order and/or direction in the nature of Mandamus do issue commanding the respondent authorities :

- i. To provide appointment to the petitioner on compassionate ground;*
- ii. To withdraw and/or rescind the order of rejection of the petitioner's application for appointment on compassionate ground;*
- iii. To re-consider the prayer of the petitioner for appointment on compassionate ground;*
- iv. To consider the representation dated 11.02.2020 made by the petitioner;*

- v. *To release and/or pay to the petitioner all the entitlements of his deceased father to the petitioner.”*

Learned Counsel appearing for the petitioner submits that the authority concerned rejected the application of his client for compassionate appointment without assigning any reason. He further submits that the retiral benefits, which arose out of death of his client's father have not yet been disbursed.

Learned Counsel for the State opposes the prayer of the petitioner.

Having heard the learned Counsel appearing for the parties and on consideration of the materials placed on record, I think that the writ petition may be disposed of by passing the following order.

The petitioner is given liberty to make a comprehensive representation to the respondent No. 2, the Director, Directorate of Mass Education Extension, Government of West Bengal, ventilating his grievances within two weeks from date. Upon receipt of such representation, the respondent No. 2 shall consider and dispose of the representation by a reasoned order giving opportunity of hearing to the petitioner within a period of six weeks from the date of receipt of the representation.

Respondent No. 2 is also directed to communicate the reasoned order to the petitioner within seven days from the date of passing the order.

The concerned respondents are directed to release the retiral benefits of the petitioner's father as expeditiously

as possible upon compliance of all legal formalities for such payment to the petitioner.

With the aforesaid direction, the writ petition is disposed of.

Since, no affidavit-in-opposition has been invited the allegations made in the writ petition are deemed to have not been admitted by the respondents.

There will be no order as to costs.

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

Urgent photostat copy of the order, if applied for, be supplied to the appellant on priority basis on compliance of necessary formalities, on priority basis.

(*Rabindranath Samanta, J.*)