

S/L 31
13.06.2022
Court No.1
sourav

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE JURISDICTION**

MAT 3 of 2022
With
CAN 1 of 2022
With
CAN 2 of 2022

Jagadish Debnath
Vs.
The State of West Bengal & Ors.

Mr. Hirak Barman
Mr. Bikramaditya Ghosh

...for the State.

None appears for the appellant even in the second call.

The appeal is pending for a considerable period of time.

The State is represented.

The appellant/writ petitioner approached the writ court seeking compassionate appointment. Such prayer was rejected by the impugned judgment and order.

The learned judge passing the impugned order found that the father of the appellant/writ petitioner died-in-harness on June 6, 2001. The deceased employee had two wives. One of the wives made a prayer for compassionate

appointment of her son on October 4, 2021. The son in whose favour such application was made was a minor at that point of time. Thereafter, the appellant/writ petitioner made a fresh application for compassionate ground in 2008.

The learned judge found that the idea of compassionate appointment is to allow the family to tide over the financial stringency in view of the untimely death of the employee. In the facts of the present case, the death occurred on June 6, 2001 with the application for compassionate appointment being made in 2008 with the petitioner attaining the age as a major in 2004-05. The application for compassionate appointment was made three years after the petitioner attained the age of majority.

We find no ground to interfere with the impugned order.

Accordingly, MAT 3 of 2022 along with the connected applications are dismissed without any order as to costs.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)