

30.01.2023
Sl. No.21(DL)
srm

W.P.A. No. 945 of 2023

Sk. Atabul Rahaman

Versus

The State of West Bengal & Ors.

Mr. Asok Nath Ghosh,
Mr. Pronojit Roy

....for the Petitioner.

Ms. Chaitali Bhattacharya,
Mr. Mrinal Kanti Biswas

...for the State-respondents.

Affidavit-of-service is taken on record.

The petitioner submits that the Block Development Officer, Pingla Development Block, Paschim Medinipur, had failed and neglected to consider the petitioner's application for compassionate appointment.

The father of the petitioner was an employee under the Karkai Gram Panchayat within Pingla Development Block. The father of the petitioner died-in-harness on September 9, 2020. The petitioner applied before the District Panchayat and Rural Development Officer, Pachim Medinipur, for grant of compassionate appointment. Pursuant to such application, the Block Development Officer, Pingla Development Block asked the petitioner to

submit documents in the prescribed form as required by the policy. Such letter was issued on May 17, 2022.

Although the learned Advocate for the petitioner submits that documents had been duly filed, there are no pleadings to that effect in the writ petition. No documents have been annexed to the writ petition indicating that all the required formalities had been complied with.

Ms. Bhattacharya, learned Senior Advocate submits on instruction from the competent authority that the documents have not been submitted. The petitioner is the son of the second wife of the deceased and a 'no objection' from the first wife and the children of the first wife, would also be required in this case. She further submits that the stipulated time to file such application expired long ago.

Under such circumstances, no order can be passed by the Court directing the authorities to take steps on the basis of the contentions made in the writ petition. The pleadings and the documents annexed to the writ petition do not inspire any confidence that the petitioner had acted and proceeded in accordance with law.

The writ petition is disposed of without any orders.

If in future, the petitioner is able to satisfy the authority that the documents, as required by law, had been submitted in the prescribed form within the stipulated

period and the authority finds that the petitioner had met the eligibility criteria as per the existing policy, the authority may take necessary steps in accordance with law.

There shall be no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)