

28.08.2023
Item No.45
Ct. No.5
CHC

WP.ST 41 of 2022

**Dipayan Moitra
Vs.
The State of West Bengal & ors.**

Mr. Raja Biswas,
Mr. Abhijit Sarkar
...for the writ petitioner

Mr. Biswabrata Basu Mallick
...for the State

The writ petition is directed against an order dated September 26, 2018 passed by the West Bengal Administrative Tribunal in O.A.587 of 2018.

By the impugned order, the claim for compassionate appointment was rejected.

It appears from the records that, the death of the employee occurred on September 23, 2009. The writ petitioner applied for compassionate appointment on December 23, 2009. The claim was rejected on July 12, 2011 on the ground that the total monthly income of the family is more than 90% by the salary received by the deceased employee. The writ petitioner thereafter filed repeated representations and ultimately approached the Tribunal by way of O.A.587 of 2018.

The father of the writ petitioner was in government service on the date of death of the mother of the writ petitioner on September 23, 2009.

Therefore, the family was not in need of immediate financial assistance.

Moreover, an order of rejection of compassionate appointment made on July 12, 2011 was assailed before the Tribunal in 2018.

In such circumstances, we find no ground to interfere with the impugned order of the Tribunal.

WP.ST 41 of 2022 is dismissed without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)