

ML 5
11.04.2023
Court. No. 19
GB

WPA 8143 of 2022

Sri Dhanapati Pal
Vs
The State of West Bengal & Ors.

Mr. Dwijadas Chakraborty,
Mr. Sujauddin

...for the Petitioner.

Mr. Subhabrata Datta,
Mr. Banibrata Datta

...for the State.

The petitioner seeks compassionate appointment. It appears that on the basis of the recommendation made by the Joint Director, Panchayats and Rural Development, West Bengal, the petitioner had been enlisted at Serial No.111. The proposal/recommendation was subject to further verification and enquiry by the competent authority. Appointment, in case the petitioner was found eligible at the enquiry, would be subject to availability of vacancy and as per the scheme for compassionate appointment.

Mr. Datta, learned advocate for the State respondents submits that the enquiry is in the process. A three member committee had been constituted. The report is yet to be furnished.

It appears that the recommendation was sent in 2010 and a three men committee was set up in 2022. The intervening period between the recommendation and the date of constitution of the enquiry committee, shall not go against the petitioner in case the petitioner is otherwise found eligible

for appointment under the regulations applicable for compassionate appointment.

It is expected that the report should be completed and submitted before the decision making authority so that necessary steps can be taken in accordance with law, within a period of two months from the date of communication of this order.

If the petitioner is found to be ineligible, the reasons shall be communicated to the petitioner. If the petitioner is found to be eligible, in that event, he will be enlisted as an eligible candidate. The appointment in accordance with the serial number of the petitioner, shall be given against an available vacancy.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)