

Item No.92

In The High Court At Calcutta  
Constitutional Writ Jurisdiction  
Appellate Side

13.02.2023  
Ct-24

WPA 8557 of 2022  
Bapi Nayak  
v.  
Kharagpur Municipality & Anr.

Mr. Bidyut Kumar Halder  
Mr. Indranil Halder  
... for the petitioner.

Mr. Dhillon Sengupta  
Mr. Ayan Chakraborty  
Ms. Sohini Mukherjee  
... for the respondents.

The petitioner claims to be the son of one Gita Bai who was an employee of Kharagpur Municipality. The employee died-in-harness on July 15, 2012. The father of the petitioner applied for providing compassionate appointment in favour of his son, the petitioner herein, in March 2013 and submits that the said application has not been taken up for consideration till date.

It appears from the averments made in the writ petition and the documents annexed thereto that the father of the petitioner applied for providing compassionate appointment in favour of the petitioner herein. After filing the application in March 2013, the petitioner did not take any steps to follow up with the said application.

The present writ petition has been filed in May 2022.

It is evident that there has been enough delay in processing the application for compassionate appointment. The very purpose of providing compassionate appointment is to help the family of the deceased employee to tide over the immediate financial crisis faced on the death of the bread-earner.

In the present case, the employee expired in July 2012. At this distant point of time there is no reason or purpose to pass any direction upon the Municipality to proceed with the said application. The urgency and emergency in considering the application for compassionate appointment has subsided due to passage of time.

In view of the above, the Court refrains from exercising jurisdiction in the matter.

The writ petition fails and is hereby dismissed.

Affidavit-of-service filed in Court today is taken on record.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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**(Amrita Sinha, J.)**