

Dd **76 14.07.2023**
ML

WP.ST 55 of 2022

Prosenjit Bhattacharjee
Vs.
The State of West Bengal & Ors.

Mr. Debabrata Acharyya,
Mr. Sital Samanta, Advocates
... .. For the Petitioner

The writ petition is directed against an order dated April 23, 2019 passed by the West Bengal Administrative Tribunal in OA 458 of 2016 negating the claim for compassionate appointment.

The employee in question died-in-harness on October 2, 2002. The employee was the mother of the writ petitioner. The writ petitioner applied for compassionate appointment on December 10, 2002. Subsequently, it was rejected on the ground of financial criteria.

The father of the writ petitioner, was gainfully employed with the North Bengal State Transport Authority. The father of the petitioner expired on February 24, 2013.

Compassionate appointment is not a matter of right. It is dependent upon the service condition of the deceased employee. Compassionate appointment is granted to the family of the deceased employee in order to tide over the immediate financial distress that the family of an employee is placed into on the death of the employee.

In the facts and circumstances of the present case, the death of the employee occurred on October 2, 2002 when the husband of the deceased employee was gainfully employed with the North Bengal State Transport Authority. The application for compassionate appointment was made on December 10, 2002. On that date, it cannot be said that the family of the deceased employee was in any financial distress due to the death of the deceased employee.

In such circumstances, we find no merit in the present writ petition.

WP.ST 55 of 2022 is accordingly dismissed without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)