

Item-
171. 17-08-2023

MAT 902 of 2023
CAN 1 of 2023

sg Ct. 8

Snehasis Jana
Versus
The State of West Bengal & Ors.

Mr. Bidyut Kr. Halder, Adv.
Mr. Indranil Halder, Adv.
...for the appellant

Mr. Supriya Chattopadhyay, Adv.
Mr. Arindam Ghosh, Adv.
...for the respondent nos.1-3

1. The appeal is arising out of an order dated 11th April, 2023 by which the learned Single Judge has dismissed the writ application on the ground of delay.
2. The writ petitioner prayed for an appointment in the died-in-harness category in the death of his brother. His brother expired on 10th August, 2016. He filed an application on 14th October, 2022. We find from the record that his representation was made on 14th October, 2022. The principle of died-in-harness appointments is that appointments are to be made immediately with a view to enable the dependent family members to tie over the immediate financial crisis for the family of the bread earner.
3. The learned Counsel for the State respondents has submitted that the dependent is required to file an application within a period of two weeks under the relevant scheme for being considered in the died-in-harness category subject to fulfilment of other criteria.
4. Admittedly, no application has been filed within the aforesaid period.

5. Under such circumstances, we do not find any reason to interfere with the order passed by the learned Single Judge.
6. The appeal and the stay petition are, accordingly, dismissed.
however, there shall be no order as to costs.

(Uday Kumar, J.)

(Soumen Sen, J.)