

30 10.10.2023

Ct-08

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FMA 2732 of 2015
with
I.A No. CAN 1 of 2015(Old CAN No. 7278 of 2015)

The Chairman, South 24 Parganas
District Primary School Council
Vs.
Utpal Das & Ors.

1. The parties are not represented nor any accommodation is prayed for on behalf of the parties.

2. The appeal had appeared in the warning list of cases on and from 19th September, 2023 with a clear indication that the said matter shall be transferred to the Regular Bench on 6.10.2023. The appeal was appeared on 6.10.2023 and is again listed today. All the parties have sufficient notice about the listing of the matter before the Regular Bench on and from 6th October, 2023.

3. The appeal was filed on 25.6.2015. The record shows that no attempt has been made to move this appeal after it was filed. No step has been taken to serve notice and prepare paper books. It clearly shows that the appellant is not interested to proceed with the appeal.

4. Having considered the materials on record and upon going through the impugned order, we are of the view that the learned Single Judge was justified in directing the Chairman District

Primary School Council to send the proposal for compassionate appointment. The reason for direction appears to be that the earlier order was not considered and the Council has shown that the age of the mother of the petitioner was the sole cause to refuse employment disregarding the earlier order and the relevant rules in this regard.

5. In view of the above, the appeal is accordingly dismissed along with the connected application.

(Uday Kumar,J.)

(Soumen Sen, J.)

