

WPA 18362 of 2021

Sonali Mitra & Ors.
Vs.
UCO Bank & Ors.

Mr. Gopal Chandra Ghosh
....for the petitioners

Mr. S. Nayak
Mr. Santosh Kumar Ray
Ms. A. Guha
.....for the Bank

The petitioner No. 1's father died-in-harness on August 29, 2008 being an employee of UCO Bank. The petitioner No. 2 is the wife of the deceased employee. The petitioner No. 3 is the younger daughter of the deceased employee. An application was made for compassionate appointment immediately upon the death of petitioner No. 1's father with no-objection of the petitioner Nos. 2 and 3. After several representations, the respondent/Bank vide a communication dated September 4, 2018 intimated the petitioner No. 2 that necessary documents have to be produced for appointment of the petitioner No. 1 on compassionate ground. Such compliance was made sometimes in or around December 2018. Thereafter, several representations have been made by the petitioners but no response has been received from the respondent/Bank. The last representation has been

made on behalf of the petitioner vide advocate's letter dated March 2, 2021.

Mr. Nayak, learned counsel appearing on behalf of the respondent/Bank prays for filing of an affidavit-in-opposition. No instructions are forthcoming even though the writ petition was filed in 2021 and the Bank was represented on several occasions when the applications for restoration of the writ petition were taken up by this court.

From the affidavit-of-service filed on behalf of the petitioner it appears that the service has effected on the respondent/Bank in 2022.

In such view of the matter, this court directs that the representation made on behalf of the petitioner dated March 2, 2021 to be considered and disposed of by the respondent No. 2/ The General Manager, UCO Bank within six weeks from date upon giving an opportunity of personal hearing to the petitioner. The representation will be disposed of by a reasoned order and the same will be communicated to the petitioner within two weeks of passing thereof. The representation of the petitioner will be considered in terms of the extant rules and policies of the Bank on the date of death of the deceased employee. Furthermore, it shall be explained in the reasoned order why no steps have been taken by the Bank after the communication dated September 4, 2018 when the

necessary compliance of the requirements set forth in the said communication was made by the petitioner by December, 2018.

With the directions aforesaid **WPA 18362 of 2021** is **disposed of**.

Since no affidavits have been directed to be exchanged in the present writ petition, all the allegations contained therein are deemed not to have been admitted by the parties.

All parties to act on a server copy of this order downloaded from the official website of this Court.

Urgent Xerox certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Lapita Banerji, J)