

21.
13.9.2023
S.D.

W.P.A. 17847 of 2023

**Prasanta Saha & Anr.
Vs.
The State of West Bengal & Ors.**

Mr. Sagnik Chatterjee
Ms. Megha Chanda
..For the Petitioners

Ms. Kakali Naskar
...For the State
Mr. Amal Kumar Sen, AGP
Mr. Sabyasachi Mondal
...For the NBSTC

The petitioner no. 2 is the wife of a deceased employee of North Bengal State Transport Corporation (NBSTC). The petitioner no. 1 is the son of the deceased employee. The deceased employee died-in-harness on August 28, 2016.

The petitioner no. 2 prayed for the employment of the petitioner no. 1 on February 10, 2017.

Since there was no response to such prayer, a reminder was sent by the petitioner no. 2 on November 22, 2019 praying for employment of the petitioner no. 1.

Mr. Chatterjee, learned counsel appearing on behalf of the petitioners submits that despite such reminder, no

response has been made to the petitioners' prayer for compassionate appointment.

Mr. Sen, learned Additional Government Pleader appears on behalf of the NBSTC.

Considering the rival submissions of the parties and the materials placed on record, this Court is of the view that justice will be sub-served by directing the Managing Director, NBSTC/the respondent no. 4 to consider the representations of the petitioner no. 2 dated February 10, 2017 and November 22, 2019, in accordance with law and the applicable Scheme/Policy/Guidelines relating to compassionate appointment applicable on the date of death of the employee, within a period of eight weeks from date. A personal hearing may be given to the petitioner no. 1 and a reasoned order be communicated within a period of two weeks of passing of the same.

With the directions aforesaid, **W.P.A. 17847 of 2023 is disposed of.**

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

All parties shall act on the server copy of this order duly downloaded from the official **website** of this Court.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all the formalities.

(Lapita Banerji, J.)