

W.P.A. 17783 of 2015

**Albinus Oraon
Vs.
The State of West Bengal & Ors.**

Mr. Ekramul Bari
Ms. Tanuja Basak
...for the petitioner

Mr. Santanu Mitra
Ms. Rama Haldar
...for the State

The writ petition is taken up for consideration pursuant to the order dated 22nd August, 2023 in presence of the learned advocates representing the petitioner and the State-respondents.

Mr. Santanu Mitra, learned advocate representing the State-respondents has submitted certain documents today in order to demonstrate before this Court that proposal for appointment of the petitioner on compassionate ground was returned on 14th September, 2015 on certain grounds and due to want of certain documents. Subsequently, it has been submitted that on 21st August, 2023 Block Development Officer, Phansidewa Development Block, Darjeeling vide memo dated 21st August, 2023 took steps for curing defects relating to the proposal for appointment of the petitioner on compassionate ground and forwarded the relevant papers and explanations to the District Panchayat and Rural Development Officer for taking necessary steps.

Thereafter, the District Panchayat and Rural Development Officer vide memo dated 23rd August, 2023 has forwarded the proposal along with relevant documents on curing defects as pointed out by the authorities previously which were the reasons for returning the proposal to the district authorities, to the Assistant Secretary, Government of West Bengal, Panchayat and Rural Development Department.

In view of the aforesaid facts it appears that now the issue is pending before the Secretary, Government of West Bengal, Panchayat and Rural Development Department for taking final decision based on the clarification and documents supplied by the District Panchayat and Rural Development Officer vide memo date 23rd August, 2023.

Accordingly, Secretary, Panchayat and Rural Development Department being respondent no. 1 is directed to take reasoned decision on the claim of the petitioner for appointment on compassionate ground within a period of 8 (eight) weeks from the date of communication of this order. Before taking decision respondent no. 1 shall give opportunity of hearing to the petitioner or his representative and also the representative of the district authorities. The decision to be taken by the respondent no. 1 shall be communicated to the petitioner within 1 (one) week thereafter.

The documents produced by the learned advocate representing the State-respondents today are taken on record. Affidavit-of-service filed on behalf of the petitioner is also taken on record.

Accordingly, the writ petition stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)