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16.03.2023
(sanjay)
Ct 25

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 23542 of 2022

Smt. Mamon Ghosh
Vs.
State of West Bengal & Ors.

Mr. Phatick Chandra Das,
Ms. Soma Chowdhury (Bandhu)
.... for the petitioner.

Mr. Sumit Ray ...for the WBSEDCL.

The writ petitioner has prayed for compassionate appointment in place and stead of her husband. The petitioner's husband worked as Junior Engineer (Electrical) Grade-I in the West Bengal State Electricity Distribution Company Limited (in short WBSEDCL). "No objection" given by the parents of deceased husband annexed at page 39 of the writ petition does not reflect the intention of her parents in law clearly.

Pursuant to leave granted by this Court on January 18, 2023 the parents of deceased husband have been made parties to the writ petition. They have been duly served and an affidavit of service is filed in Court today. Such affidavit of service is retained with the records.

Since the added respondents chose not to be represented in Court it is deemed by this Court that they have no objection in the matter of compassionate appointment being granted in favour of the writ

petitioner/their daughter in law. However, for the ends of justice the respondent/WBSEDCL is directed to give another notice to the parents of the deceased husband intimating the date of personal hearing to be given to the petitioner for consideration of her representation/application for compassionate appointment.

Let the application for compassionate appointment annexed at pages 35 to 37 of the writ petition be considered by concerned authorities within six weeks from the date upon giving personal hearing. The reasoned order passed thereon may be communicated to the petitioner within two weeks thereof. "No objection" granted by the parents in law of the petitioner will also be taken into account while consideration of the application of appointment of the petitioner. In the event, parents of the deceased employee chose not to represent themselves on the stipulated date of hearing it will be deemed by the WBSEDCL that they have "no objection" to the compassionate appointment being granted to the petitioner.

With the directions aforesaid, the writ petition, being **WPA 23542 of 2022**, is **disposed of**.

Since no affidavits have been called for in the writ petition, the allegations contained therein be deemed not to have been admitted by the respondents.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Hon'ble Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Lapita Banerji, J.)