

WPA 23458 of 2023**Arjun Ram (Das)****vs.****The State of West Bengal & Ors.**

Mr. Mahammad Mahmud

...for the petitioner

Mr. Sujit Sankar Koley

...for the respondents

The petitioner prays for compassionate appointment in place and stead of his father who was an employee of the West Bengal State Electricity Distribution Company Limited (WBSEDCL). Admittedly, the petitioner made a prayer for compassionate appointment on June 30, 2017, when his father died-in-harness in 2002.

Thereafter, a recommendation was made by the Assistant Manager (H.R & A) on April 9, 2018 to the Assistant Manager E.S. & E.R of WBSEDCL.

Again there was no communication between the parties. The petitioner subsequently made a representation dated July 15, 2022 for consideration of his prayer for compassionate appointment.

Mr. Koley, learned counsel appearing on behalf of the WBSEDCL submits that the prayer of the petitioner cannot be considered due to the inordinate delay in filing such application for compassionate appointment.

Considering the rival submissions of the parties and the materials placed on records, this Court is of the view that a belated prayer for compassionate is not maintainable. The reason for granting compassionate appointment is to provide immediate succor to the bereaved family due to the financial stringency that arises out the sudden death of the earning member of the family. A beneficial reference may be made to the Apex Court's judgment reported in 2023 SCC OnLine SC 219 (**State of West Bengal vs. Debabrata Tewari**). Therefore, the prayer of the petitioner made after 15 years from the date of death of the deceased employee cannot be considered. Accordingly, **WPA 23458 of 2023** is **dismissed**.

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 copy of this order duly downloaded from the official *website* of this Hon'ble Court.

Urgent certified website copies of this order, if applied for, be made available to the parties subject to compliance with all requisite formalities.

(Lapita Banerji, J)