

13 08.02.23

Ct. No. 04

Akd

WP.CT. 116 of 2022

**The Principal Chief Commissioner
of CGST & CX**

Vs.

Arpita Ghosh & Ors.

Mr. K. K. Maiti,

Mr. Tapan Bhanja.

... for the petitioner.

Mr. Asit Kumar Manna,

Mr. Niladri Saha,

Ms. Madhurima Basu.

... for the respondent.

The instant writ petition was filed assailing the order of the Tribunal passed on 7th March, 2022 in OA 235 of 2021 directing the petitioner herein, to consider the claim of the respondent in terms of the scheme that operated in the field as on the date of the death and financial condition of the family and shall not insist for any other condition to be fulfilled.

Amidst the pendency of the instant writ petition the authority concerned forwarded the application of the respondent to the Departmental Screening Committee and a meeting was held on 21st December, 2022; wherein the respondent is found fit for appointment on compassionate ground in the post of Havaladar (Group-C) subject to fulfillment of conditions as per the Central Excise and Customs Havaladar & Head Havaladar (Group-C post) Recruitment Rules, 2015 as amended on 30th August, 2022. The aforesaid decision of the Departmental Screening Committee has been communicated to the respondent on 6th February, 2023. Let the said communication be kept with the record.

The petitioner says that since her case has already been considered and a copy of the said communication is handed over to the learned

Advocate on record of the respondent in Court today, there is no necessity of going further into the validity or legality of the impugned order.

Learned Advocate for the petitioner submits that he has received the aforesaid communication, wherein it is indicated that the writ petition filed by the Department may be withdrawn after final selection of the candidate, if feasible.

In view of the subsequent development having taken place in the midst of the pendency of the instant writ petition, the grievance of the writ petitioner does not survive.

Accordingly, the writ petition is dismissed as withdrawn.

(Harish Tandon, J.)

(Prasenjit Biswas, J.)