

**CALCUTTA HIGH COURT IN THE CIRCUIT BENCH
AT JALPAIGURI**

**39
07.07.2023
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WPA 1356 of 2023

**Lata Mandal
Vs.
Siliguri Municipal Corporation & Ors.**

**Mr. Debojit Kundu
...for the petitioner**

**Mr. Bikramaditya Ghosh
Mr. Momenur Rahman**

....for the State

Wife of deceased Nirman Sahayak, Dhanirampur-II gram panchayat District-Alipurduar has approached this Court with the present writ petition praying for necessary direction upon the concerned respondent authorities for taking final decision for her appointment on compassionate ground in view of untimely death of her husband in harness. Husband of the petitioner was working in the post of Nirman Sahayak on substantive basis died in harness on 10th November, 2016. Just after the death of the petitioner's husband the petitioner made an application to the concerned district authorities on 24th November, 2016 based on which District Magistrate, Alipurduar vide letter dated 30th November, 2017 forwarded the matter along with necessary documents to the Directorate of Panchayat and Rural Development for taking final decision. The learned advocate representing the

petitioner submits that till date no decision has been taken on the prayer of the petitioner for appointment of compassionate ground.

State-respondents are represented by learned advocate who has also submitted that the issue has been forwarded by the District Magistrate, Alipurduar to the Directorate of Panchayat and Rural Development.

Having considered the submissions made on behalf of the parties and on perusal of the communication dated 30th November, 2017 made by the District Magistrate, Alipurduar this Court directs the Director of Panchayat and Rural Development being the respondent no. 3 to take decision on the claim of the petitioner for appointment on compassionate ground taking note of the materials forwarded by the District Magistrate, Alipurduar vide communication dated 30th November, 2017. Let such decision be taken within 12 weeks from the date of communication of this order. However, before taking final decision petitioner or her representative shall be granted opportunity of hearing. Decision to be taken by the respondent no. 3 shall be communicated to the petitioner within 2 weeks thereafter.

With aforesaid direction, 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.)