

Dd **143 20.11.2023**

*Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side*

WP.ST 1 of 2023

***Sandeep Tamang
Vs.
The State of West Bengal & Ors.***

*Mr. Tanmay Sett, Advocate
... .. For the Petitioner*

*Mr. Preto Das, Advocate
... .. For the State*

The writ petition is directed against an order dated February 9, 2023 passed by the West Bengal Administrative Tribunal in MA 206 of 2018 (OA 857 of 2018). By the impugned order, the Tribunal found that original application was delayed by 13 years after the death of the employee. The Tribunal did not condone the delay in filing the original application.

Petitioner seeks compassionate appointment.

The employee expired on February 17, 2005. An application for compassionate appointment was made on June 5, 2005.

There is a report dated June 18, 2007 of the department recommending grant of compassionate appointment to the petitioner.

There is a long hiatus on the part of the petitioner between June 18, 2007 till filing of OA

857 of 2018 in which, the impugned order was passed.

There is no explanation for the delay. A period in excess 11 years expired from the date of recommendation by the department for compassionate appointment till the filing of the original application. A period of 13 years expired from the date of death till the filing of the original application.

Compassionate appointments are meant for the purpose of assisting the family of the deceased employee to tide over the immediate financial difficulty that the family of the deceased employee is placed on the death of the employee.

In the present case, the family of the deceased employee survived from February 17, 2005 till the filing of the application and, in fact, till today.

In such circumstances, we find no material irregularity in the impugned order warranting interference.

WP.ST 1 of 2023 is **dismissed** without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

