

Dd 145 20.11.2023

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

WP.ST 3 of 2023

**Miss Pramila Rai
Vs.
The State of West Bengal & Ors.**

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

*Mr. Hira Barman,
Mr. Momenur Rahman, Advocate
... .. For the State*

The writ petition is directed against an order dated August 31, 2022 passed by the West Bengal Administrative Tribunal in RA 5 of 2022 (OA 739 of 2018). By the impugned order, the Tribunal found that original application was delayed by 7 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 March 24, 2011. An application for compassionate appointment was made on June 4, 2011.

There is a writing dated December 26, 2014 of the department regarding the prayer for grant of compassionate appointment to the petitioner.

There is a long hiatus on the part of the petitioner between December 26, 2014 till filing of OA 739 of 2018 in which, the impugned order was passed.

There is no explanation for the delay. A period in excess four years expired from the date of rejection by the department of the prayer for compassionate appointment till the filing of the original application. A period of 7 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 March 24, 2011 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 3 of 2023 is **dismissed** without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)