

11.07.2024  
Ct. 23  
D/L 70  
ab

**IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE**

**WPA 8460 of 2024**

**Nawsad Ali  
-Vs-  
The Union of India & Ors.**

Mr. Sk. M. Rahman,  
Mr. Shayak Mitra

... for the petitioner

Mr. Debajyoti Deb,  
Mr. Debapriya Samanta

... for the Union of India

Learned advocate representing the petitioner has taken instruction in terms of the order dated 8<sup>th</sup> July, 2024 and submitted that the petitioner is willing to approach the concerned authority for compassionate allowance in terms of Rule 41 of the Central Civil Service (Pension) Rules, 2021.

In the aforesaid facts and circumstances, the writ petition is disposed of by permitting the petitioner to make an application for compassionate allowance in terms of Rule 41 of the Central Civil Service (Pension) Rules, 2021 within 31<sup>st</sup> July, 2024 before the Director General of Police, Central Reserve Police Force (respondent no. 2). In the event, such application is made, the respondent no. 2 without being influenced by any finding in the order of the petitioner's dismissal or

any observation made herein shall consider the issue of compassionate allowance that may be provided to the petitioner in terms of Rule 41 of the Central Civil Service (Pension) Rules, 2021 independently within a period of three months for the date communication of a server copy of this order. The respondent no. 2 shall give reasons, if he ultimately rejects the prayer for compassionate allowance in respect of the rejection. The respondent no. 2 shall also give a personal hearing to the petitioner, if so necessary, prior to taking decision on the petitioner's application for compassionate allowance, if made in time as provided in this order.

Nothing further remains to be adjudicated in this writ petition. The same is accordingly disposed of.

Since I have not called for any affidavits, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

All parties including the respondent no. 2 shall act on the basis of the server copy of this order without insisting upon production of a certified copy thereof.

**(Arindam Mukherjee, J.)**