

Item No.81

13.06.2024
Ct-14

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

RVW 67 of 2023
IA No. CAN 1 of 2023
in
WPA 6658 of 2022
Sandip Chakraborty & Anr.
v.
The Kolkata Municipal Corporation & Ors.

Mr. Rahul Karmakar
Mr. D. Upadhyay
Ms. Ishita Kundu
... for the petitioners.

Mr. Alok Kumar Ghosh
Mr. Arijit Dey
... for KMC.

The petitioners pray for review of the order dated
February 13, 2023.

It has been submitted that there are errors
apparent on the face of record which are required to be
rectified by the Court.

According to the petitioners, after the prayer for
compassionate appointment of the son stood rejected in
the year 2015 communication was made between the
mother of the petitioner and the employer. Those
communications, though annexed to the writ petition,
could not be placed before the Court at the time of
consideration of the writ petition. The prayer for
reconsideration of the claim for compassionate
appointment was actively pending consideration at the

end of the employer even after rejection of the prayer for compassionate appointment.

The Court is of the opinion that the ground(s) sought for review is such that the same is not liable to be entertained. Admittedly, the Court considered all the documents placed before the Court at the time of hearing.

The matter relates to appointment on compassionate ground in died-in-harness category. The same can never be claimed as a matter of right and a considerable period of time has elapsed from the date of death of the employee in the year 2011.

In view of the above, the Court is not inclined to exercise jurisdiction in the matter at the stage of review.

The application for review stands dismissed.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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(Amrita Sinha, J.)