

12.07.2024.
Court No.13
Item No. 62
pk

W.P.A. No. 11280 of 2024

**Avik Chakraborty
Versus
The State of West Bengal & Ors.**

Mr. H. S. Chakraborty

...For the petitioner.

Mr. Biplab Guha,
Mr. Subrata Das Gupta

... For the State.

1. Affidavit of service filed in Court is taken on record.

2. The petitioner's father died on 14th September, 2019. He applied for compassionate employment on 20th July, 2021 when he was 17 years 6 months and 13 days old. He therefore could not maintain an application for compassionate employment.

3. By the time he attained 18 years of age, being the minimum age for application, the period of two years had already expired.

4. As on date, therefore, the immediacy of financial stringency cannot continue. The petitioner's family is receiving pension.

5. In those circumstances, the claim for compassionate employment of the petitioner cannot be maintained. Reference in this regard is made to the decision of the Supreme Court in the case of

State of West Bengal Vs. Debabrata Tewari
reported in **2023 Live Law SC 175** particularly
paragraph 7 thereof.

6. Accordingly, the writ petition is therefore
disposed of without any order.

7. There will be no order as to costs.

8. All parties are directed to act on a server copy
of this order duly downloaded from the official
website of this Court.

(Rajasekhar Mantha, J.)