

Sl.118
04.09.2024
Suman
Ct.No.15

WPA 23236 of 2023

Tufan Bagdi
Vs.
The State of West Bengal and Ors.

Ms. Juin Dutta Chakraborty
Mr. Bidan Modak
..for the petitioner

Despite the order dated July 31, 2024, the State is not represented. No report has been filed.

It appears that the case of the petitioner for appointment on compassionate ground has been rejected by the Assistant Secretary, Panchayat & Rural Development Department, Government of West Bengal by an order dated August 4, 2023, on the ground of late submission of proforma application (more than six years ten months from the death of his father) by the petitioner, who is the only son of the deceased employee.

I am convinced that the ground of rejection is not sustainable.

It appears from annexure P-3 of this writ petition that by a Memo No.2128/En dated November 24, 2015, the Block Development Officer, Mayureswar-II Development Block, Kotasur, Birbhum forwarded the

proforma application of the petitioner to the District Panchayat and Rural Development Officer, Birbhum.

The employee died on July 7, 2015. Therefore, there was no delay in making the application.

Accordingly, the impugned order dated August 4, 2023, is set aside.

Let the Secretary, Panchayat & Rural Development Department, Government of West Bengal consider the application of the petitioner for his compassionate appointment on merit within a period of three months from the date of communication of this order. The said authority shall give an opportunity of hearing to the petitioner or his authorized representatives in arriving at a decision. A reasoned order should be communicated to the petitioner within seven days thereafter.

Accordingly, **WPA 23236 of 2023** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)