

S/L 16
08.07.2024
Court. No. 551
Sourav

WPA 23578 of 2009

**Munni Devi
Vs.
Union of India & Ors.**

*Mr. K. B. S. Mahapatra
Mr. M. Mazumdar*

...for the petitioner.

Mr. S. K. Ghosh

...for the respondents.

1. Parties are represented through their learned advocates.
2. One Jai Kishor Mahato since deceased, was the husband of the writ petitioner who died-in-harness on 15.12.2001 while he was employed in CISF. The writ petitioner being the widow of the said deceased employee made a prayer before the respondent authorities for grant of compassionate appointment and, ultimately, after observing all the formalities, the respondent authorities had given appointment to the eldest son of the writ petitioner, namely, Ghanshyam Mahato in the post of Constable in CISF.
3. It is the case of the petitioner that while undergoing basic training, the eldest son of the petitioner, i.e., Ghanshyam Mahato sustained severe injury on his person and he was treated but since he could not recovered fully despite getting due treatment, his service was terminated by a notice dated March 22, 2007 as issued by the respondent authorities.

4. Materials have been placed before this Court that challenging the said order of termination the said Ghanshyam Mahato, the eldest son of the writ petitioner preferred an appeal before the higher authority wherein he failed and thus, the order of termination of the said Ghanshyam Mahato stood affirmed.
5. Finding no other alternative, the writ petitioner being the widow of the deceased Jai kishor Mahato, thereafter, approached the respondent authorities by submitting a prayer in writing on August 30, 2008 for granting compassionate appointment to his second son Radhyshyam Mahato but of no effect. Subsequently, similar such prayer was made on 22.11.2008, 10.02.2009, 20.04.2009 and 21.08.2009 but the respondent authorities did not pay any heed to such requests as made by the writ petitioner in writing.
6. Considering the entire materials as placed before this Court and after hearing the learned advocates for the contending parties, this Court while disposing of the instant writ petition directs the respondent no. 5, i.e., the Deputy Inspector General, Durgapur Steel Plant, Durgapur, Paschim Burdwan to consider the instant writ petition as a representation of the writ petitioner and this Court further directs the respondent no. 5 to come to a logical finding with regard to the representation as made by the writ petitioner after giving due opportunity of hearing either to the writ petitioner or her learned advocate.

7. The respondent no. 5 is further directed to conclude the entire process of consideration within three months from the date of communication of this order and he is further directed to communicate his finding to the writ petitioner by Speed Post within a week thereafter.
8. Accordingly, the instant writ petition being **WPA 23578 of 2009** is disposed of along with all interim applications, if there be any.
9. All the parties including the respondent no. 5, i.e., the Deputy Inspector General, Durgapur Steel Plant, Durgapur, Paschim Burdwan are directed to act on the server copy of the order.
10. Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Partha Sarathi Sen, J.)