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Ct No.02
29.07.2024
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Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Jurisdiction

WPA No. 640 of 2024

Ujjal Bhowmik

-VS-

The State of W.B. & ors.

Mr. Nabankur Paul
Mr. Suman Saha
Ms. Sutapa Sen Paul
...for the petitioner
Mr. Momenur Rahaman
Ms. Patralekha Choudhury
...for the State

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. As per circular dated 07.06.2010, in case of a Home Guard who gets permanently incapacitated at least 2 years ahead of attaining the age of 60 years, one eligible member from the family of the Home Guard can be enrolled in the Home Guard Organization on compassionate ground. The petitioner's father was posted as a Home Guard at the Bungalow of the District Judge. At the relevant point, he made a prayer before the concerned authorities that due to his permanent incapacitation, his son, the present petitioner, may be inducted as a Home Guard. Although this prayer

was made on 30.05.2016, till date the same has not been responded. In the subsequent representation of the petitioner, the date of retirement of his father has been wrongly mentioned as “28.05.2023” instead of “30.05.2016”.

Learned counsel for the State relies on the report and submits that the petitioner’s father did not have two years service left at that point. That is why the petitioner’s prayer cannot be considered. However, necessary response will be made in accordance with law.

In view of the fact that a representation from the end of the petitioner is pending, the same may be considered by the concerned respondent authorities being the respondent no.5 in accordance with law and as expeditiously as possible, preferably within four weeks from the date of communication of this order. Within a week thereafter, the result of such consideration shall be communicated to the petitioner.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)