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Ct No.02
31.07.2024
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Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Jurisdiction

WPA No. 1368 of 2024

Pritam Kumar Roy
-VS-
The State of W.B. & anr.

Mr. Shubhankar Dutta
..for the petitioner
Mr. Subir Kumar Saha
Mr. Kumar Shantanu
..for the State

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner's father died in harness. His mother prayed for higher post and applied for appointment on compassionate ground. However, she failed to satisfy the criteria of physical fitness twice. At that point, the petitioner was a minor. After attaining majority, the petitioner applied for appointment on compassionate ground. Reliance may be placed on Rule 10AA of the Notification No. 251-EMP dated 03.12.2023 that such a prayer can be considered up to five years from the date of death or retirement on medical ground.

Learned counsel appearing on behalf of the State denies the allegations and submits that the prayer of the petitioner is belated one. In any event, on two earlier occasions, the petitioner's mother failed to pass the medical/fitness test for getting appointment.

Since the petitioner's representation dated 14.11.2022 is pending consideration, in the interest of justice, let the concerned Superintendent of Police-respondent no.2 consider the petitioner's representation in accordance with law and as expeditiously as possible, preferably within a period of four weeks from the date of communication of this order. Within a week therefrom, the outcome of such consideration shall be communicated to the petitioner.

It is clarified that the merits of the case have not been gone into.

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.)