

Dd 57 26.09.2024

*Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellant Side*

WPST 7 of 2024

***Kangkan Barma
Vs.
The Additional Chief Secretary Home
(Police) & Hills Affairs Department &
Ors.***

*Mr. Ankita Dey,
Mr. Risnita Chakraborty, Advocates
... .. For the Petitioners*

*Ms. Bedashruti Bose,
Mr. Sandip Guha Roy, Advocate
... .. For the State*

1. Petitioner assails an order No. 12 dated April 23. 2024 passed in OA 867 of 2019 by the West Bengal Administrative Tribunal.

2. Learned advocate appearing for the petitioner submits that, initially, the wife of the deceased employee applied for compassionate appointment. Subsequently on the son of the deceased employee attaining the age of a major, he applied. The son of the deceased employee is the writ petitioner before us. Such application was rejected on the ground of inordinate delay. Such decision was challenged in the original application before the West Bengal Administrative Tribunal which resulted in the impugned order.

3. State is represented.

4. Employee concerned expired on November 3, 2005. Petitioner was 12 years 8 months and 29 days old then. Mother of the petitioner, that is the wife of the deceased employee, applied on March 21, 2006 praying for compassionate appointment, when the petitioner would attain the age of a major or otherwise, the compassionate appointment may be granted to the mother of the petitioner.

5. Application of the mother of the writ petitioner was rejected by the Authorities by memo No. 1603/CRO dated August 13, 2019. Such rejection order was never challenged by the petitioner or his mother.

6. Right of compassionate appointment is not a hereditary right. Moreover, there is an issue of inordinate delay.

7. In such circumstances, we find no reason to interfere in the impugned order.

8. WPST 7 of 2024 is accordingly **dismissed.**

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)