

In The High Court At Calcutta
Civil Appellate Jurisdiction
Appellate Side

Present:-

The Hon'ble Justice Ananya Bandyopadhyay

WPA 2306 of 2014

Subhas Rajak & Ors.

v.

**The Chief Manager, Administration Department
Punjab National Bank & Ors.**

For the petitioner	: Mr. Himadri Barua Mr. Jenifar Alam Megha
For the Respondents/Bank	: Ms. Parna Roy Chowdhury
Heard on	: 23 rd April, 2025
Judgment on	: 23 rd April, 2025.

Ananya Bandyopadhyay, J:-

1. The Learned Advocates representing both the parties are present.
2. The Learned Advocates representing the petitioners submitted that the father of the petitioners, namely, Jharu Rajak discharged his duties as a part-time sweeper in Jalalpur (Hazarat) Branch of erstwhile United Bank of India (hereinafter referred to the "said Branch") presently known as Punjab National Bank being confirmed on and from 10th September, 1989. The father of the petitioners expired on 28th April, 2007 at the age of 39 years. On the death of

the aforesaid employee, his first wife, namely, Padaka Rajak represented before the Regional Manager, United Bank of India through the Branch Manager of the Jalalpur (Hazarat) Branch to release the terminal benefits in her favour vide a communication dated 4th June, 2007. However, the said Bank declined to release the retirement benefits and sought for Succession Certificate to be provided by the petitioners/claimants. Moreover, Sita Rajak, the second wife of the deceased employee forwarded a request to the respondent nos.2 and 3 on 9th June, 2007 seeking appointment on compassionate ground being educated till Class-VIII.

3. The petitioner no.4 being a son of the deceased employee was working in the Canteen of the said Branch. Sita Rajak expired on 9th January, 2012 at the age of 36 years being survived by the petitioner nos.2, 4 and 5.
4. The petitioner no.4 filed a representation dated 26th April, 2013 on account of his father dying-in-harness seeking for compassionate appointment accompanied by no objection certificate issued in his favour by the other legal heirs of the deceased employee. Subsequently, neither the compassionate appointment was granted in favour of the claimant/petitioner nor the terminal benefits on the death of the deceased employee were disbursed.
5. The respondents/Bank had sought for Succession Certificate to be placed before the same for disbursement of retirement benefits vide

communication dated 20th February, 2015. The respondents/Bank through the affidavit-in-opposition stated on receipt of the Succession Certificate the retirement benefits to the tune of Rs.2,87,896.12/- being the consolidated amount inclusive of interest on account of Gratuity, SPF and Arrear Family Pension was agreeable to be released in favour of the petitioners. The Succession Certificate endorsed the same, as annexed to the affidavit-in-opposition filed by the learned advocate representing the respondents/Bank.

6. In the above premises, the respondents/Bank is to disburse the aforesaid amount pertaining to the retirement benefits in favour of the petitioners within a fortnight from the date of communication of this order.
7. The petitioners will be at liberty to file a fresh representation for seeking appointment on compassionate ground, which has to be reasonably considered by the respondents/Bank conforming the legal formalities and provisions applicable statutorily to consider the same within three months from the date of representation.
8. The instant appeal is disposed of accordingly.
9. There shall, however, be no order as to costs.
10. Urgent certified photocopy of this order, if applied for, be supplied as expeditiously as possible.

(Ananya Bandyopadhyay, J.)

S.R.