

18th November, 2025
(D/L No.29)
Ct. No.4
(SKB)

W.P.S.T.75 of 2025

Sandip Chakraborty
Versus
The State of West Bengal and others

Mr. Bhaskar Chandra Manna,
Ms. Moumita Biswas
....for the petitioner.

Mr. Tapan Kr. Mukherjee, Id. AGP,
Ms. Sangeeta Roy
... for the respondents.

1. Heard learned counsel for the parties.
2. The father of the petitioner died in harness on 07.01.2005. The claim for compassionate appointment made by the petitioner was rejected on 01.04.2014. It appears from the record that thereafter the Block Medical Officer of Health, Anantapur BPHC, Chanserpur, Tamluk, Purba Medinipur wrote a communication dated 16.07.2015 to the Directorate of the Health Service, Government of West Bengal. It was stated that an application was submitted by the petitioner for compassionate appointment in due time. Based on such communication, the consideration has started afresh as is evident from another communication from the office of

the Chief Medical Officer of Health, Purba Medinipur to the petitioner on 10.08.2023 whereby and where under the petitioner was directed to appear before the Enquiry Committee for re-examining the matter for his claim for grant of compassionate appointment.

3. The said letter was issued during the pendency of the Original Application bearing O.A. No.890 of 2018 before the State Administrative Tribunal (in short 'Tribunal'), which, however, has been rejected on 23.12.2024. It is this order, which is the subject matter of the present writ proceedings.
4. From perusal of the impugned order of the Tribunal dated 23.12.2024, we find that the same does not take into consideration any order of final consideration in respect of the petitioner's claim pursuant to the letter dated 10.08.2023.
5. The learned AGP is also not in-a-position to inform this court that a final decision has been taken by the authorities, as a result of the communication dated 10.08.2023.
6. From perusal of the impugned order of the Tribunal, we find that the same is based on a

finding that the application was not submitted by the petitioner within time.

7. Since the issue regarding the application being made in time or not, was pending consideration pursuant to the above noted two communications dated 16.07.2015 and 10.08.2023 and, since there is nothing on record to show the final order has been passed as a result of such consideration, we find no justification to record such a finding regarding an application not being submitted within time in accordance with the policy of the compassionate appointment. The order dated 23.12.2024 passed in O.A.890 of 2018 is, therefore, unsustainable. However, the issue is left open on all grounds to be considered pursuant to the letter dated 10.08.2023, by the authorities in accordance with law.
8. The writ petition is, thus, disposed of in these terms.

(Madhuresh Prasad, J.)

(Prasenjit Biswas, J.)