

08.04.2025
(D/L-6)
Ct. No.4
(B.K.N.)

W.P.C.T. 65 of 2025

**Asmila Bibi Gharami
Vs.
General Manager, Eastern Railway & Ors.**

Mr. Partha Pratim Roy,
Mr. L. Bhattacharya
...for the Petitioner

Mr. Udayan Chakravorty, Sr. Adv.,
Ms. Debjani Ghosal
...for the Respondents

1. After making empathetic arguments regarding the validity of the divorce in the year 2016 the learned counsel for the petitioner submits that the petitioner is in possession of documents from which she can show that she continued to be wife of the deceased Ombar Ali Gharami and is, therefore, entitled to consideration for grant of compassionate appointment.
2. In view of such submission we leave it open to the petitioner to produce documents as the Tribunal has only remanded the matter to the competent respondent to consider the applicant's/petitioner's claim for grant of compassionate appointment by treating the Original Application as a representation in accordance with extant rules. It has given the respondents authority the discretion to direct the applicant as well as the

respondents to produce the requisite documents in support of their claim. The claim is thereafter required to be verified with reference to the records. The relevant extract of the order passed by the Tribunal reads as follows:

“13. In view of the aforesaid discussion, I direct the Competent Respondent Authority to consider the claim of the applicant for grant of compassionate appointment by treating this Original Application as her representation in accordance with the extant rules and law. The respondent authority may direct the applicant as well as respondent No. 6 i.e. Miraj Ali Gharami to produce requisite documents in support of their claim and may also grant of personal hearing to them, if deemed necessary. Further, the respondents will verify the claims of the respective parties with reference to the Original service records of the deceased employee particularly with regard to his declaration of family and nomination made by him in respect of his retirement benefits. The above exercise is to be completed within a period of 2 months’ from the date of receipt of a certified copy of this order the decision be taken in this regard be conveyed to the applicant and respondent No. 6 by way of a reasoned speaking order within the aforesaid period.

14. With the above direction s, this Original Application is disposed of. There will be no order as to costs.”

3. In view of the submissions advanced on behalf of the petitioner, we leave it to the petitioner to satisfy the authority in terms of the order passed by the Tribunal. The order of the Tribunal, therefore, requires no interference.
4. The application is disposed of with such liberty.
5. Since the time granted by the Tribunal has lapsed, we grant the applicant/petitioner two months from date

for availing the opportunity granted in the order passed by the Tribunal.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)