

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

A-62 16.4.2025
Sc Ct. no.2

WPA 7162 OF 2025

Pintu Dewasi & Anr.

Vs.

Union of India & Ors.

Mr. Bibek Chatterjee
Ms. Susmita Saha.

....For the Petitioners

Mr. Sayan Banerjee

....For the Respondents

Affidavit-of-service, filed in Court today, is taken on record.

Mr. Bibek Chatterjee, learned Counsel appears for the petitioners.

Mr. Sayan Banerjee, learned Counsel appears for the respondents.

The petitioner in effect claims compassionate appointment. The issue has already travelled before the jurisdictional Central Administrative Tribunal (CAT) more than once with a chequered history. The last order of the jurisdictional tribunal is dated **March 20, 2023, Annexure-P4 at page 23** to the writ petition.

The parties submit jointly that, this is the last order of the jurisdictional administrative tribunal and the matter has stayed at rest thereat.

The relevant direction from the said order passed by the CAT is quoted below :

“Therefore, at this stage, we deem it fit to dispose of the OA without entering into the merit on the claim of the applicant for appointment on compassionate ground with a direction to the respondent authority to place the case of the applicant in the light of the observation made in the order dated 03.06.2022 before the next CRC at the earliest for its consideration and decision thereon be communicated to the applicant forthwith. Since the proposal for compassionate appointment of the applicant has already been received from the office of the PMG and one year about to pass, it is expected that the case of the applicant will be considered expeditiously in terms of the policy in vogue.”

Learned Counsel for the petitioner submits that despite above direction the **Central Recruitment Cell (CRC)** has not taken any step in terms of the order dated **June 3, 2022** passed by the CAT.

The law is well settled that, when there is an issue raised demanding compassionate appointment, the authority must take steps to decide the issue in accordance with law at the earliest so that the purpose of compassionate appointment, if permitted in law in the facts and circumstance, shall not be defeated.

In view of the above, the petitioner shall serve a copy of this writ petition along with a copy of today's order upon the appropriate authority of the **Central Recruitment Cell (CRC)** to take steps in accordance with the direction of **CAT** dated **March 20, 2023** forthwith but positively within a period of **four weeks** from the date of communication of this order strictly in accordance with

law and upon compliance of all the necessary formalities and scrutiny.

It is made clear that this Court has not gone into the merits of the claim of the petitioner.

This order shall not create any right or equity in favour of the petitioner in the event the petitioner does not succeed to his claim for compassionate appointment strictly in accordance with law.

In the event the CRC is of the view that the appointment can be granted, necessary and consequential steps shall be taken forthwith in accordance with law.

Considering the special circumstance that the petitioner has been waiting ***since 2020 or before that*** to get a conclusive decision on his claim for compassionate appointment, this order is being passed.

This order shall not be treated as a precedence.

On the above terms this writ petition, ***WPA 7162 of 2025*** stands ***disposed of***, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)