

Court No. 2

30.6.2025

(Item No. 38)

(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 12969 of 2025

Smt. Saudri Devi & Anr.

VS

The State of West Bengal & Ors.

Mr. Shamba Chakraborty

Mr. Diptomoy Talukder

Mr. Manas Burman

.... For the petitioner

Mr. Nilotpall Chatterjee

Mr. Debapriya Chatterjee

.... For the State

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

The first petitioner is the widow and the second petitioner is the son of one **Ramdular Prasad**, who was an employee of respondent no. 2 untimely died during his employment on **June 19, 2023, annexure P-2** at **page 16** to the writ petition. The first writ petitioner then applied for compassionate appointment in favour of the second petitioner after the death of the employee on **August 14, 2023, annexure P-4** at **page 24** to the writ petition, the same has not been considered.

In view of the above, the respondent no. 2 through its appropriate authority is directed upon issuing a prior hearing notice of at least seven days to the petitioners and after granting them an opportunity of hearing shall dispose of

the said application dated **August 14, 2023**, **annexure P-4** at **page 24** to the writ petition by passing a reasoned order in accordance with law.

The entire exercise shall be carried out and completed by the appropriate authority positively within a period of **six weeks** from the date of communication of this order and the reasoned order then shall be communicated to the petitioners positively within a period of **one week** from the date of the said reasoned order to be passed.

It is needless to mention that, the petitioners shall be entitled to participate in the hearing before the appropriate authority along with a duly authorized representative.

It is made clear that, this Court has not gone into the merits of the rival claims of the parties. The parties shall be at liberty to urge whatever points they wish to urge by relying upon whatever records and documents and policy, if any, they wish to rely upon before the said appropriate authority but the same shall not travel beyond the scope of the said application dated **August 14, 2023**.

In the event, the reasoned decision goes in favour of the petitioner, then the appropriate

authority of the respondent no. 2 shall give all consequential and immediate effect thereto in accordance with law but positively within a further period of **four weeks** from the date of the said reasoned order to be passed.

It is also made clear that, this order shall not create any right or equity in favour of the petitioners, if the petitioners do not succeed to their claims for compassionate appointment before the appropriate authority strictly in accordance with law.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions this writ petition **W.P.A. 12969 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.)