

1004
2025

THURSDAY

Court : CB-07
Item : DL-02
Bench : SINGLE
Matter : WPA
Status : DO
ID : 266057
AR : NANDY

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 10467 OF 2020

TEEAS CHAKRABORTY
VS.
UCO BANK & ORS.

MR. PUNDARI KAKSHYA BHATTACHARYA, ADVOCATE
.....for the Petitioner

MR. SOUMEN DAS, ADVOCATE
MR. SOURJYA DAS, ADVOCATE

.....for the UCO Bank

- 1) The present writ-petition has been preferred citing inaction on the part of the concerned respondent-Bank in considering the petitioner's application for compassionate appointment.
- 2) While serving as a Clerk/Assistant in United Commercial Bank (UCO Bank), Bajepuratappur Branch, the petitioner's father died in harness on 27.07.2024, leaving behind his widow, namely Mithu Chakraborty, and his son, the petitioner herein.
- 3) Stating that the sudden demise of the petitioner's father, who was the sole breadwinner of the family, had plunged the family into penury, the petitioner approached the concerned Bank with a prayer for appointment on compassionate grounds.
- 4) Mr. Das, learned advocate representing the petitioner, submits that the petitioner initially made an application for appointment on compassionate grounds on plain paper, and thereafter, as per the advice of the Bank's office, submitted a fresh application in the prescribed form.
- 5) Referring to a portion of the seal appearing at the bottom of pages 18 to 20, Mr. Das submitted that the Bank had received the said application, as would be evident from the affixed seal and signature. The

petitioner further contended that the prescribed pro- forma had been issued by the Bank itself, as it would not have been otherwise available to him.

- 6) However, such contention of the petitioner has been seriously disputed by the learned Advocate representing the respondent Bank. He submits that the Bank has not received any application from the petitioner, whether on plain paper or in the prescribed pro forma.
- 7) However, without entering into such disputed questions of fact, I deem it appropriate to dispose of the writ petition by granting liberty to the petitioner to submit a fresh application for compassionate appointment in the prescribed format.
- 8) In the event such application is received by the respondent Bank, it shall consider the same and take an appropriate decision on the petitioner's prayer for compassionate appointment, upon taking into account all relevant factors and after affording the petitioner an opportunity of hearing, within a period of four weeks from the date of receipt of such application.
- 9) It is clarified that in the event the respondent Bank finds merit in the petitioner's case, appropriate follow-up action shall be taken forthwith. Conversely, if the Bank is of the view that the petitioner's claim does not merit consideration, a reasoned order to that effect shall be passed and communicated to the petitioner without delay.
- 10) It is further clarified that, in deciding the petitioner's case, the Bank authorities shall determine whether the petitioner submitted his application promptly following the death of his father. If it is found that the application was submitted within a reasonable time,

the Bank shall afford the petitioner an opportunity to produce supporting documents and shall not reject the application solely on the grounds of belated submission of the application for compassionate appointment.

- 11) With these observations, **WPA 10467 of 2020** is **disposed of**.

(PARTHA SARATHI CHATTERJEE, J.)