

M/L 67
05.05.2026
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 5520 of 2026

Prabir Sen

Vs.

The Managing Director & Chief Executive Officer (MD &
CEO) & Ors.

Mr. Omar Faruk Gazi

Ms. Shaoni Panda

Mr. Masta Fizur Rahaman

...for the Petitioner.

Mr. Raghunath Ghose

Ms. Tonoya Ghose

...for the Respondent.

1. Affidavit of service filed in Court today be kept with the records.

2. The petitioner seeks compassionate appointment. His father was serving the UCO bank.

3. Allegation is that though his case for appointment on compassionate ground was recommended by the Branch Head to the Zonal Manager but the same has not been considered by the authority. Legal representation was filed on behalf of the petitioner, the same has also not been considered.

4. Learned advocate representing the bank relies upon a communication dated March 24, 2026 issued by the Chief Manager & Branch Head of the UCO bank wherein it has been mentioned that the application for appointment on compassionate ground of the petitioner was placed before the Committee constituted for providing compassionate appointment. The Committee observed that the applicant was married prior to the death of the deceased employee on October

16, 2021. Hence, he is not eligible for appointment on compassionate ground. The prayer of the petitioner for grant of compassionate appointment has been declined by the authority.

5. Learned advocate for the bank relies on the 11th Bipartite Settlement dated November 11, 2020 which took place between the Indian Banks' Association and the Workmen Union of the Bank. The UCO bank is a signatory to the said Memorandum of Settlement.

6. Reliance has been placed on the definition of 'family' as mentioned in the Memorandum of Settlement which mentions that the expression 'family' of an employee shall mean the employee's spouse, wholly dependent unmarried children (including step-children and legally adopted children) etc.

7. Be that as it may as it appears that a decision has already been taken on the petitioner's application seeking compassionate appointment and the same has been rejected, the cause of action for filing the instant writ petition does not survive any longer. Fresh cause of action has arisen which cannot be adjudicated in the instant writ petition.

8. Let a copy of the communication dated 24th March, 2026 declining the prayer of the petitioner for grant of compassionate appointment be formally communicated by the bank to the petitioner.

9. It will be open for the petitioner to challenge the ground for rejection of his application before the competent forum in accordance with law, if so advised.

10. The writ petition stands disposed of.

11. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.

(Amrita Sinha, J.)