

24.02.2026
Item No.1
Ct. No.1
KS

WP.CT 70 of 2023
Smt. Babita Devi & Anr.
Vs.
Union of India & Anr.

Mr. Kedareswar Chakraborty
Mr. Saptarshi Chakraborty
.....For the Petitioners
Mr. D. N. Ray, Sr. Adv.
Mr. Sourav Mondal
.....For the Union of India

PER, SUJOY PAUL, CJ.:

1. Parties are represented through their respective learned counsels.
2. With the consent finally heard.
3. In this petition filed under Article 226/227 of the Constitution of India, challenge is mounted to the order of Central Administrative Tribunal, Kolkata Bench (Tribunal) dated 29.11.2022 passed in O.A. 350/991/2022 whereby claim of consideration for compassionate appointment to the grandson of deceased, Hari Mondal was rejected by the Tribunal.
4. Learned counsel for petitioners fairly submitted that no doubt the employee, Hari Mondal died in harness in 1971 and later on his son filed O.A. in the year 2010, which came to be

dismissed in default. The fact remains that when grandson preferred an application for compassionate appointment, the same was rejected by a cryptic order dated 31st May, 1978. The order does not disclose any reason, which is essential in such administrative orders. Thus, matter may be remitted back to the competent authority to take a decision on the said aspect afresh.

5. The prayer is opposed by the other side.
6. Technically, the stand of learned counsel for the petitioners may be correct that in the order dated 31st May, 1978 (Annexure – P1), no reason are assigned, however, it cannot be forgotten that the employee, Hari Mondal died way back in 1971. The purpose of grant of compassionate appointment is to provide immediate helping hand to the family in distress. If it is done after several decades, the very purpose of grant of compassionate appointment will be defeated. The Tribunal rejected it on the ground that there is an

inordinate delay in preferring the application for grant of compassionate appointment by the grandson.

7. Apart from this, despite repeated query, learned counsel for petitioners could not point out any enabling provision, which makes the grandson eligible for consideration of compassionate appointment.
8. For these cumulative reasons, we find no reason to entertain this petition.
9. Accordingly, petition fails and is hereby dismissed.
10. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(SUJOY PAUL, CJ.)

(PARTHA SARATHI SEN, J.)