IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

Present :- Hon'ble Justice Amrita Sinha

WPA 12386 of 2026

Nimal Charan Manna
Vs.
The Union of India & Ors.

For the writ petitioner	:-	Mr. Malay Bhattacharyya, Adv. Mr. Pradip Paul, Adv. Ms. Renesa Dey, Adv.
For Bank	:-	Mr. Abhishek Banerjee, Adv.
Heard on	:-	16.06.2026
Judgment on	:-	16.06.2026

Amrita Sinha, J.:-

1. The father of the petitioner was serving in the Punjab National Bank. He died-in-harness on December 18, 2024. An application seeking compassionate appointment was made by the petitioner on March 6, 2025. The said application has been rejected by the authority by passing a reasoned order.

2. It has been specifically mentioned in the said order that the petitioner does not fall within the income criteria for being considered for compassionate appointment.

3. Prior to passing the impugned order, the petitioner was requested to explain the transactions in his bank account. The explanation provided by the petitioner was considered and it was found that the petitioner's submissions were contradictory and failed to align with his declaration.

4. The bank found that a sum of Rs.40,40,106/- remained unexplained. The average monthly income of the petitioner was found to be Rs.1,68,337.75/-.

5. The impugned order records that the petitioner failed to produce the medical bills or proof of borrowings to substantiate high-value UPI transfers (Rs.12.77 lakh) and cash deposits (Rs.7.87 lakh).

6. The bank concluded that the scale of transactions and construction activity reflected financial stability and steady income. The applicant was found not to be wholly dependent on the deceased. The petitioner is aggrieved by the order of rejection.

7. The revised scheme for compassionate appointment published by the bank on November 7, 2022 has been relied upon.

8. The guidelines relating to compassionate appointment prevailing at present mentions that compassionate appointment is to be granted to the dependant of the deceased employee where the monthly income of the family is less than 75% of the last drawn gross monthly salary (net of tax) including defense pension of the employee.

9. Submission of the petitioner is that the monthly income calculated by the bank is erroneous. The provision of the scheme has not been considered at the time of adjudicating the monthly income of the family. The bank illegally took into consideration the amount received by the petitioner from friends and well-wishers for the medical expenditure for treating his father who ultimately expired.

10. According to the petitioner, his monthly income is far less than that has been calculated and the said income is less than 75% of the gross monthly salary drawn by his father. The petitioner also relies upon the explanation given by him on 17th March, 2026 in response to the communication made by the bank on 16th March, 2026.

11. Prayer has been made to set aside the impugned order of rejection and to grant appointment to the petitioner on compassionate ground.

12. Learned counsel representing the bank opposes the submission and prayer of the petitioner.

13. It has been submitted that the bank considered the prayer of the petitioner for compassionate appointment strictly in accordance with the scheme. At the time of calculating the monthly income of the petitioner, it was found that the petitioner earns more amount than required in terms of the scheme. The petitioner is not eligible to be considered for compassionate appointment in accordance with the revised scheme for compassionate appointment. Prayer has been made to dismiss the writ petition.

14. I have heard the respective submissions made on behalf of both the parties.

15. The parties rely upon the revised scheme for compassionate appointment that is currently prevailing which requires monthly income of the family to be less than 75% of the last drawn gross monthly salary of the deceased.

16. The bank considered the application for compassionate appointment and at the time of processing the application and on scrutiny of the transactions made by the petitioner between January 1, 2024 and December 17, 2025 requested the petitioner to provide clarification in respect of the certain transactions made through his bank account.

17. The petitioner did furnish the explanation but the same was not accepted by the bank. The bank categorically held that a sum of Rs.40,40,176/- remained unexplained in the bank account of the petitioner and deduced the average income of the petitioner per month as Rs.1,68,337.75/- which is more than 75% of the gross monthly salary last drawn by the petitioner's father.

18. The petitioner is aggrieved as a block period was considered for calculating his monthly income. It appears that the father of the petitioner expired on December 18, 2024 and the petitioner applied for compassionate appointment on March 6, 2025. The bank, for the purpose of ascertaining the monthly income of the petitioner, took into consideration the entire period of the year 2024, i.e. the year his father

died and the period 2025, i.e. the year the petitioner applied for compassionate appointment.

19. The transactions in the petitioner's bank account for the entire period starting from January 1, 2024 till December 17, 2025 were taken into consideration to assess financial stability. The Court does not find any error in the process of calculating the monthly income after taking into consideration the transactions for the block period, i.e. the period of two years.

20. The break-up of the calculation indicated in the impugned order mentions the last drawn gross monthly salary of the petitioner as Rs.43,74,395/-. The monthly income of the petitioner is far more than the gross drawn last monthly salary of his father.

21. The Court is convinced that the petitioner does not fall within the guidelines relating to the scheme for compassionate appointment.

22. It is to be kept in mind that compassionate appointment cannot be claimed as a matter of right and the same is considered for tiding over the immediate financial crisis faced by the family of the deceased on the death of the bread earner.

23. In the instant case, it does not appear that the petitioner is suffering from any financial crisis for which his prayer seeking compassionate appointment is to be considered.

24. Compassionate appointment cannot be given beyond the provisions of the scheme. As the petitioner has failed to comply with the financial criteria provided in the scheme for compassionate appointment, the Court is not inclined to interfere with in the instant writ petition.

25. The writ petition fails and is hereby dismissed.

26. Affidavit of service filed in Court be taken on record.

27. All parties are to act on the server copy of this judgment duly downloaded from the official website of this Court.

28. Certified copy of this judgment, if applied for, shall be made available to the parties.

(Amrita Sinha, J.)