

S/L 15
25.03.2026
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 19899 of 2025

Smt. Bhagabati Let & Anr.

Vs.

The State of West Bengal & Ors.

Mr. Sudip Patra
Mr. Asmanur Quail
Mr. Prem Prakash
Ms. Shruti Jain
Mr. Sourav Singh

...for the Petitioner.

Mr. Pinaki Bhattacharya
Ms. Tanusri Pal Chowdhuri

...for the State.

1. The petitioner no.1 is the widow of an employee who died-in-harness in the year 2020 and the petitioner no.2 is the married daughter of the deceased employee.

2. An application seeking compassionate appointment was made by the widow nominating her son to be considered for appointment in the year 2020. As there was no response from the respondent authority, the son, for the purpose of earning his livelihood, has migrated to a different State. The widow is currently in a penurious condition. She has none apart from the petitioner no.2, her married daughter, to look after her. The earning of the son is very meagre and not such to maintain the petitioner no.1.

3. The petitioner no.1 intends to change her nomination from her son to her daughter for providing appointment on compassionate ground. She filed a representation permitting such change on May 29,

2025. Allegation is that the said representation is pending consideration.

4. Learned advocate for the petitioners asserts that the copy of the representation seeking change of nomination for providing compassionate appointment was served through post but neither the postal receipt nor the track report showing receipt of the said representation by the respondent authority is annexed to the writ petition.

5. Be that as it may, as a copy of the subject representation is annexed at page 24 (Annexure-P/1) to the writ petition, accordingly, the instant writ petition stands disposed of by directing the respondent no.4, the employer of the husband of the petitioner no.1 to consider her prayer for change of nomination for providing compassionate appointment in accordance with law and to pass a reasoned order and communicate the same to the petitioners.

6. A decision shall be taken by the aforesaid respondent at the earliest but positively within a period of twelve weeks from the date of communication of this order.

7. A copy of the writ petition along with the annexures shall be forwarded to the aforesaid respondent at the time of communicating this order.

8. It is made clear that this Court has not entered into the merits of the claim of the petitioners and all points are left open to be decided by the aforesaid

respondent at the time of consideration of the said representation.

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

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

(Amrita Sinha, J.)