

07. 05.02.2026
Court No.2
(Tanmoy)

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(APPELLATE SIDE)**

WPA/387/2026

**SRI SWAPAN MAITY AND ANR.
VS
UNION OF INDIA AND ORS.**

Mr. Asish Kumar Bandyopadhyay, Adv.

...for the petitioners.

Mr. Ajay Kumar Dasgupta, Adv.

Mr. Rameshwar Sinha, Adv.

...for the respondents.

1. Matter is heard in presence of learned Advocates representing the petitioners and Union of India.
2. Son and wife of a deceased employee of Railway Protection Force (for short 'RPF') approach this Court with the present writ petition for appointment of petitioner no.1 being the son of deceased employee on compassionate ground.
3. It is submitted by the learned Advocate representing the petitioners that first application was made to the concerned respondent Authorities seeking appointment on compassionate ground on 19th January, 2005. Therefore, according to the petitioners, steps ought to have been taken for processing said application for appointment on compassionate ground as per the prevalent scheme which has not been done

in the present case requiring intervention of this Court under Article 226 of the Constitution of India.

4. Case made out in this writ petition on behalf of the petitioners is opposed by the learned Advocate representing Union of India and it is submitted that the employee died in-harness on 7th August, 2001 whereas first application seeking appointment on compassionate ground was made 14 years after death of the employee on 25th August, 2015. Application which is relied upon by the petitioners dated 19th January, 2005, which is at page 19 of the writ petition, is disputed by the learned Advocate representing Union of India.
5. Having considered the respective submissions made on behalf of the parties and the materials available on record it appears that by application dated 19th January, 2005 for appointment on compassionate ground as relied upon by the petitioners it is not substantiated before this Court that said application dated 19th January, 2005 was duly submitted before the respondent Authority.
6. In aforesaid premise Court has to consider submissions made on behalf of the respondent Authorities that first application was made on 25th August, 2015 for appointment on compassionate ground. Delay caused in approaching the concerned respondent Authority seeking appointment on

compassionate ground cannot be condoned at this stage taking note of the very purpose of providing appointment on compassionate ground. Object of providing appointment on compassionate ground is to tide over immediate financial constraints. When application for appointment on compassionate ground was made 14 years after death of the deceased employee it goes to show that there was no financial requirement of the family of the deceased employee at the material point of time.

7. In the aforesaid conspectus no relief can be granted to the petitioners. The writ petition is dismissed.
8. Urgent photostat certified copy of this order, if applied for, be made available to the parties upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)