

Dharmendra Kumar Vs. the State of West Bengal and ors.

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Court : Kolkata

Decided On : Dec-10-2013

Judge : Tapabrata Chakraborty

Appellant : Dharmendra Kumar

Respondent : The State of West Bengal and ors.

Judgement :

ORDER

SHEET WP No.1150 of 2013 IN THE HIGH COURT AT CALCUTTA Constitutional Writ Jurisdiction ORIGINAL SIDE DHARMENDRA KUMAR Versus THE STATE OF WEST BENGAL & ORS.BEFORE: The Hon'ble JUSTICE TAPABRATA CHAKRABORTY Date : 10th December, 2013.

Appearance: Mr.Susanta Pal, Adv.Mr.Niladri Bhattacharya, Adv.Md.T.M.Siddiqui, Adv.Mr.Paritosh Sinha, Adv.The Court: The petitioners father while working as a Conductor of the Calcutta Tramways Company (1978) Ltd., hereinafter referred to as the Company, passed away on 10th June, 2004.

The petitioner applied for compassionate appointment on 7th July, 2004 and subsequent thereto by a memorandum dated 10th August, 2010 documents were called for and by a memorandum dated 20th of October, 2010 the petitioner was directed to appear for medical test on 4th January, 2011.

But, subsequent thereto, no steps have been taken by the respondents and the petitioners application for compassionate appointment had not been disposed of till date.

Mr.Bhattacharjee, learned Advocate for the Company submits that consideration of the application for compassionate appointment is in process.

Having heard learned advocates for the parties and considering the nature of grievance raised by the petitioner, I find no reason to keep the writ petition pending.

The same stands disposed of with a direction upon the company to take appropriate steps on the application for compassionate appointment filed by the petitioner in accordance with law as well as in accordance with the scheme/policy for compassionate appointment that was in vogue on the date of death of the petitioners father, as early as possible but not later than two months from date of receipt of a copy of this order.

If the petitioners prayer is rejected, a reasoned order shall be passed.

On the contrary, if the petitioners prayer is accepted, follow up steps, in accordance with law, shall be taken without any delay.

There shall, however, be no order for costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties as expeditiously as possible.

(TAPABRATA CHAKRABORTY, J.) cs/

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