

Tribunal Application
Judgement on 3.5.2010
W.P.S.T. 190 of 2010.

Points:

Compassionate appointment: Need for compassionate appointment whether exist after lapse of 20 years-Service Law

Facts:

The father of the petitioner expired on 30th October, 1989 and the petitioner herein approached the learned Tribunal for adjudication of his grievances in relation to the claim for compassionate appointment after long lapse of 12 years i.e. in the year 2001.

Held:

The learned Tribunal has rightly held that immediate need of assistance cannot be said to be exist after a long lapse of more than 20 years. The Court does not find any error and/or infirmity in the aforesaid decision of the learned Tribunal. Para-3

Mr. Gautam Dey,
Ms. Sunita Agarwal.
...For the Petitioner.
Dr. Sambuddha Chakraborty,
Ms. Amrita Sinha.
...For the State.

The Court:

This writ petition has been filed challenging the judgment and order dated 26th February, 2010 passed by the learned West Bengal Administrative Tribunal in case number O.A.457 of 2001 whereby and whereunder

the said learned Tribunal upheld the order of the respondent authorities with regard to the rejection of the claim of the petitioner for appointment on compassionate ground.

2) Undisputedly, the father of the petitioner expired on 30th October, 1989 and the petitioner herein approached the learned Tribunal for adjudication of his grievances in relation to the claim for compassionate appointment after long lapse of 12 years i.e. in the year 2001.

3) The learned Tribunal has rightly held that immediate need of assistance cannot be said to exist after a long lapse of more than 20 years. We do not find any error and/or infirmity in the aforesaid decision of the learned Tribunal.

4) Therefore, we are not inclined to interfere with the judgment and order passed by the learned Tribunal. This writ petition, therefore, stands dismissed as we do not find any merit in the same. In the facts of the present case, there will be no order as to costs.

(Pranab Kumar Chattopadhyay, J.)

(Pranab Kumar Deb, J.)