

03.
6.2.2023
S.D.

W.P.A. 25940 of 2022

**Sri Saheb Sinha
Vs.
The State of West Bengal & Ors.**

Mr. Ritesh Ganguly
Ms. Suchara Banerjee
Ms. Sukanya Dutta

... For the Petitioner

Affidavit of service filed in Court today is retained with the records.

The petitioner's grievance is that despite several representations, made since 2005, his prayer for compassionate appointment has not been considered by the respondents/Greater Calcutta Gas Supply Corporation Limited (GCGSCL). The petitioner's father was an employee of the said Corporation. The petitioner's father died-in-harness on September 8, 2005.

After several representations, the petitioner was called for an interview on May 24, 2010. Thereafter, the reason for non-appointment of the petitioner has not been communicated till date. Several proceedings were initiated before this Hon'ble Court. By an order dated September 23, 2016 passed by a Coordinate Bench of this Hon'ble Court in W.P. 10387 (W) of 2013, it was observed that the petitioner

who was not offered appointment would be entitled to challenge the order of rejection in an appropriate proceeding before an appropriate forum, in accordance with law.

Despite the said order, the petitioner was neither offered appointment nor was the rejection communicated to him.

Despite service no one represents the respondents today.

Even though the petitioner has no right to be appointed on compassionate ground his case cannot be arbitrarily determined in comparison to the other writ petitioners in W.P. 10387 (W) of 2013.

In the circumstances, this Court is of the view that justice will be sub-served by directing the respondent no. 5/the General Manager, GCGSCL or any other person authorized/delegated by him to file a report on affidavit by February 24, 2023. In the said report the reason for non-appointment of the petitioner till date will be explained as well as a letter of rejection, if any, shall be brought on record.

Exception to the said report, if any, be filed by March 3, 2023.

Let this matter appear for further consideration on **March 6, 2023** under the same heading “**Motion**”.

All parties shall act on the server copy of this order
duly downloaded from the **website** of this Court.

(Lapita Banerji, J.)