

WP(C) 2000/2010

BEFORE

HON'BLE MR. JUSTICE HRISHIKESH ROY

There is none to represent the petitioner, although names of 4 lawyers are reflected in the cause list, on behalf of the petitioner.

On the other hand, Mr. P.N. Goswami, the learned standing counsel for the Excise Department submits that the petitioner has filed this 2nd writ petition for her compassionate appointment, following the death of her father late Masra fuddin Ahmed on 11.11.2003, who served as a Head Constable in the Excise Department.

The departmental lawyer submits that compassionate appointment is intended to bring immediate relief to the bereaved family and the process cannot be utilised to secure appointment, when the family has managed to survive for about 14 years, after the death of the bread earner on 11.11.2003.

The submission made from the respondents' side are taken into account. But noticing the petitioner's want of interest to pursue this matter, the case is dismissed for non-prosecution, rather than on merit.

Since an affidavit-in-opposition of another case is found enclosed in the records of this matter, the Joint Registrar (Judicial) should verify and ensure placement of the counter affidavit, in the appropriate case file.