

28-06.2019
Court No.3
Sh/09.

**CIRCUIT BENCH OF
CALCUTTA HIGH COURT
AT JALPAIGURI
WRIT APPELLATE JURISDICTION
APPELLATE SIDE**

W.P.A. 175 of 2019

Sk. Md. Masum Billah Petitioner.
Vs.
The State of West Bengal & Ors. Respondents.

Mr. Partha Pratim Roy,
Mr. Anirban Banerjee.
. . . For the petitioner.
Mr. Bikramaditya Ghosh.
. . . For the State.

Affidavit of service filed in Court today be kept with the record.

The father of the writ petitioner, Sk. Sayedul Islam, who was working as Assistant Teacher in Gadong Khujuria Senior Madrasah, died-in-harness on 10th February, 2015. The petitioner being one of the sons of said Sk Sayedul Islam, applied for compassionate appointment on 31st August, 2016.

Pursuant to the said application the petitioner was called for a hearing before the District Inspector of Schools, Secondary Education, Jalpaiguri on 10th January, 2017.

It is the grievance of the writ petitioner that though he attended the said hearing and produced all documents in respect thereof but the said District Inspector of Schools has not communicated his decision

with regard to his prayer for compassionate appointment till date.

Mr. Ghosh, learned advocate appearing on behalf of the State submits that no decision with regard to the prayer for compassionate appointment of the petitioner could not be taken as the petitioner did not submit the family income certificate as well as an affidavit affirmed before the First Class Magistrate with regard to his family income.

Mr. Roy, learned advocate appearing on behalf of the petitioner prays for two weeks time to submit the family income certificate and the affidavit as stated hereinabove.

Such prayer is allowed. The petitioner shall submit the family income certificate and an Affidavit as aforesaid within a period of two weeks from date. If the petitioner complies with the aforesaid direction within the time limit as stipulated herein above, then the respondent authority shall consider the said documents along with the other documents, which are already before the said authority and pass a reasoned order within a period of four weeks thereafter. The reasoned order shall be communicated to the writ petitioner immediately thereafter.

The Writ petition is thus disposed of without any order as to costs.

Urgent Photostat certified copy of this order, if applied for, be supplied to the learned advocates appearing for the parties expeditiously on compliance of all requisite formalities.

(HIRANMAY BHATTACHARYYA, J.)