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akb Ct. No. 2

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A. 937 of 2019
Kamal Roy
-Versus-
The State of West Bengal & Ors.

Mr. Kallal Ghosh

...For the Petitioner

Mr. Hirak barman

Mr. Momenur Rahaman

...For the State Respondents

This is an application under Article 226 of the Constitution of India wherein the writ petitioner has challenged an order passed on January 14, 2019 by the Commissioner of School Education, West Bengal.

Learned Counsel appearing on behalf of the petitioner submits that upon perusal of the Government Order it appears that he cannot be appointed as an ‘assistant teacher’, and therefore, he prays that the concerned Officer to be directed to consider his application for compassionate appointment in the Group-‘C’ or Group-‘D’ posts.

Learned Counsel appearing on behalf of the respondents submits that an appropriate application is required to be made by the petitioner before the appropriate authority.

In the light of the above submissions, the writ petition is dismissed with liberty given to the petitioner to make an application under the relevant Rules before the appropriate authority within a period of 15 days from date and upon such application being made, the respondent authorities are directed to consider the same in an expeditious manner.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(*Shekhar B. Saraf, J.*)