

Ct. 10  
Item Nos.06  
18.09.2020  
(suvendu)

**WPA 6800 OF 2020  
(W.P. 6800 (W) OF 2020)  
With  
CAN 1 OF 2020  
(old no. CAN 5767 OF 2020)**

**Rakesh Kameth  
Vs.  
State of West Bengal & Ors.**

**(Via Video Conference)**

Mr. Sakti Pada Jana  
.....for the petitioner  
Mr. S.K.Mitra  
.....for the State

The petitioner seeks compassionate appointment since his father died-in-harness on 9<sup>th</sup> June, 2010. The petitioner says that despite there being recommendation from the concerned college, the State authorities have taken no steps to give him appointment.

It is now well-settled that compassionate appointment is not a matter of right. It is depended on several factors including the prevalence of a scheme with the employer concerned for grant of compassionate appointment. The State respondents submit that the concerned college is affiliated to Gour Banga University, which does not have any provision for granting compassionate appointment under the statute by which it was constituted. The

State also does not have any scheme for providing compassionate appointment.

Be that as it may, the whole basis of granting compassionate appointment is to allow the bereaved family to tide over the financial crisis arising out of the death of the bread earner get frustrated in case of inordinate delay. In the circumstances as aforesaid, the authority concerned is directed to pass a reasoned order considering the writ petition to be the petitioner's representation. The concerned respondent shall within a period of eight weeks from date pass such reasoned order. In the present pandemic situation no further hearing at the time of considering the representation be given to the petitioner. However, the order of the concerned authority shall reflect the reasons in details and consideration of all documents on record. There is no further issue that requires adjudication.

The writ petition and the connected application are disposed of without any order as to costs. Since no affidavits have been called for all allegations in the petition are deemed to have not been admitted by the respondents.

**(Arindam Mukherjee, J.)**

