

29.09.2020
D/L No.49
Court No.24
s.biswas

WPA 7156 of 2020
With
CAN 1 of 2020

Harekrishna Mondal
Vs.
The State of West Bengal & Ors.

(Through Video Conference)

Mr. Sunit Kumar Roy

... .. for the petitioner

CAN 1 of 2020 is an application for urgent hearing of the writ petition and is disposed of by taking up the writ petition for consideration.

Petitioner seeks compassionate appointment.

Learned counsel appearing for the petitioner draws attention of this Court to the order dated February 12, 2020 passed by the District Inspector of Schools (SE), North 24 Parganas. He submits that District Inspector of Schools permitted the petitioner to apply afresh since the earlier application was for grant of appointment to the post of teacher. He submits that immediately thereafter the petitioner applied on March 12, 2020. Such application is yet to be considered and decided.

In the facts of the present case, the petitioner approached to the Writ Court earlier in W.P. 22180(W) of 2019. Such writ petition was disposed of by an order dated December 16, 2019 by directing the District Inspector of Schools to consider the application of the

petitioner dated August 27, 2018 for appointment on compassionate ground in the 'Died-in-Harness' category. Such representation was disposed of by the order dated February 12, 2020 passed by the District Inspector of Schools after finding that the petitioner initially wanted appointment to the post of Assistant Teacher, which was not permissible. The District Inspector of Schools granted liberty to the petitioner to apply for appointment as non-teaching staff. The petitioner thereafter applied for appointment to a post of non-teaching staff by the application dated March 12, 2020. The authorities are yet to consider the same.

In such circumstances, it would be appropriate to direct the respondent no.3 to consider and decide the representation dated March 12, 2020 in accordance with law. The respondent no.3 will give reasonable opportunity of hearing to the petitioner. The respondent no.3 is at liberty to hear such parties and consider such documents that it deems fit and appropriate. The respondent no.3 will pass a reasoned order and will communicate the same to the petitioner. It is expected that the entire exercise is concluded within 4 weeks from the date of communication of this order.

WPA 7156 of 2020 is disposed of.

(Debangsu Basak, J.)

