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

W.P.A. 505 of 2020

**Joydip Roy
-versus
The State of West Bengal & Ors.**

**Mr. Jagriti Mishra
...For the Petitioner.**

**Mr. Subir Kumar Saha,
Mr. Ankan Mitra
For the State**

The petitioner prays for compassionate appointment. In compliance of the order passed by this court on 20th February 2019 in W.P. No. 1300 (W) of 2018, the Joint Secretary to the Government of West Bengal, Panchayet and Rural Development Department considered the prayer of the petitioner and intimated him that his name provisionally appeared at serial No. 8 for the District of Cooch Behar and his candidature will definitely be taken into consideration as per seniority subject to vacancy in the exempted category in the District of Cooch Behar.

The petitioner has sought information under the Right to Information Act and by a communication dated 23rd December 2019 the petitioner has been informed

that there are two posts of Group-“D” vacant under exempted category in Panchayet Samities of the district and eleven posts of Group-“C” are lying vacant under the exempted category in Gram Panchayets in the District of Cooch Behar.

The petitioner prays that his case may be considered for being appointed in any of the aforesaid vacant posts.

On perusal of the documents placed before this court it appears that there are certain vacancies available with the respondents as per the information supplied by the State Public Information Officer in December 2019. Since the petitioner seeks appointment on compassionate ground under the died-in-harness category, the case of the petitioner ought to be considered for appointment in the posts which are lying vacant.

Accordingly, the Commissioner, Department of Panchayet and Rural Development Department being the respondent no. 3 herein is directed to take a decision as to whether the petitioner can be appointed, in any of the posts, which are lying vacant as indicated by the State Public Information Officer in his Memo dated 23rd December 2019.

As the prayer of the petitioner relates to appointment on compassionate ground the case of the petitioner ought to be treated with extreme urgency.

The respondent no. 3 shall take a decision in the matter within a period of eight weeks from the date of communication of a copy of this order and intimate the reasoned decision to the petitioner within a week thereafter.

W.P.A. No. 505 of 2020 is disposed of.

Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)