

Court No. 24
31.08.2021
(Item No. 77)
(AB)

W.P.A. 1300 of 2016
(via video conference)

Nilotpall Barman
VS
The State of West Bengal & Ors.

Mr. Sakti Pada Jana
Mrs. Ujani Pal (Samanta)
..... Petitioner

Ms. Supriya Dubey
.... For North Bengal University
Mr. Supriya Chattopadhyay
Mr. Sabyasachi Mondal
..... for the State

The learned advocate on record of the petitioner is directed to amend the cause title of the writ petition in terms of the direction passed on the earlier occasion here and now.

The petitioner happens to be the only son of an employee of the Falakata College. The employee died-in-harness on 29th September, 2011. The petitioner made an application for being appointed on compassionate ground in February, 2012.

The grievance of the petitioner is that the said representation has not been considered by the respondent authorities till date.

As it appears that the application of the petitioner praying for being appointed on compassionate ground has not been disposed of for a considerable period of time, no useful purpose will be served by keeping the writ petition pending.

The instant writ petition is disposed of by directing the Director of Public Instruction to take a

decision with regard to the prayer of the petitioner for being appointed on compassionate ground strictly in accordance with law, which was prevailing at the time when the employee expired, at the earliest, but positively within a period of eight weeks from the date of communication of a copy of this order. The said respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

At the time of consideration of the prayer of the petitioner the Director of Public Instruction shall take note of the communication made by the Principal of Falakata College on 27th May, 2013 wherein it has been clearly indicated that the family of the deceased is in a very bad pecuniary condition and a post of Typist is vacant in the College.

The petitioner is directed to forward a copy of the application made by him seeking appointment on compassionate ground along with the letter of the College and the relevant Rules/circulars/Guidelines relied upon by the petitioner at the time of communicating the order of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J.)