S/L 15
07.12.2021
Court. No. 19
GB

WPA 13774 of 2021

Basanti Mondal & Anr.
Vs.
The State of West Bengal & Ors.

(Through Video Conference)

Mr. Biswarup Biswas,
Mr. S.K. Humayan Reza.
... for the Petitioners.

Mr. Gausul Alam,
Md. Yusuf Ali.
... for the State.

The petitioner no.1 is the mother and the petitioner no.2 is the sister of a deceased Anganwadi worker, who was engaged in an I.C.D.S. project. The petitioner no.2 claims compassionate appointment. A hand written application has been submitted before the Child Development Project Officer, Khargram I.C.D.S. project, Murshidabad. It is alleged that the said application has not been disposed of.

According to the learned advocate for the State respondents the scheme/guidelines issued by the Government of West Bengal, Department of Women and Child Development and Social Welfare, dated January 25, 2006 does not entitle the petitioner no.2 to be appointed on compassionate grounds.

According to the guidelines only a daughter of the deceased employee can be given appointment on compassionate ground subject to fulfilment of other criteria. Moreover, there does not appear to be any scheme by which

a family member other than a daughter can be appointed in the died-in-harness category of a deceased Anganwadi Worker.

The writ petition does not merit any determination. It is a well-settled principle of law that compassionate appointment is not a matter of right and the same is guided by the scheme, which is prevalent at the time of death of the employee. The scheme produced before this Court does not indicate that the sister of the deceased can be accommodated or considered for appointment under the said category.

The writ petition is, thus, disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)