

Ct. No. 26
13.01
2021

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W.P. 17083 of 2019

Mousumi Saha

-Versus-

State of West Bengal & Ors.

Mr. Saibal Acharya

Mr. Subir Hazra

Mr. Swapan Kumar Chatterjee

...For the Petitioner

Mr. Ranjan Saha

...For State Respondents

This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by an order dated September 25, 2018 passed by the District Inspector of Schools (SE), Murshidabad, wherein the Authority concerned has rejected the prayer for compassionate appointment of the petitioner on the ground that the family cannot be considered for being in extremely financial hardship according to the present Government Order.

It is clear from the order that the same is a non-speaking order without giving any specific reason. It was upon the Authority to indicate as to why the financial hardship was not met by the petitioner's family.

In the light of the same, the impugned order is quashed and set aside with a direction upon the District Inspector of Schools (SE), Murshidabad to pass a fresh reasoned order after granting an opportunity of hearing to the petitioner within a period of two months from date.

The reasoned order should be communicated to the petitioner within two weeks from the date of passing such reasoned order.

With the aforesaid observation, the writ petition is disposed of.

Since, no affidavit-in-opposition has been called for, the allegations made in the writ petition are deemed to have not been admitted by the respondents.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(*Shekhar B. Saraf, J.*)