

Ct. 05
Item No.07
29.03.2022
(suvendu)

WPA 4552 of 2022

Ruma Bhunia
Vs.
The State of West Bengal & Ors.

Mr. Ekramul Bari
Sk. Imtiaz Uddin
.....for the petitioner
Mr. Biswabrata Basu Mallick
Mr. Sayan Ganguly
.....for the State

The affidavit of service is taken on record.

The petitioner is the widow of late Bapi Bhunia who died in harness on 19th May, 2017 while working as an approved typist in the concerned College.

The petitioner applied for compassionate appointment to the College on 12th January, 2019 and the College recommended the petitioner and forwarded the application of the petitioner to the Director of Public Instruction on 12th June, 2019 and 11th November, 2019. The petitioner assails an order passed by the Director of Public Instruction dated 27th October, 2021 on the ground that the Director of Public Instruction has allowed an appointment on compassionate basis to a similarly-circumstanced

applicant on 13th October, 2020 and that the said applicant as well as the petitioner are governed by the Statutes of the Calcutta University in terms of the employment and condition of service.

Learned counsel appearing for the State points out the factual dissimilarity between the two instances.

Upon perusing the impugned order, it appears that the Director of Public Instruction did not take into account the Clause 6 (a) of the Calcutta University Statutes relating to compassionate appointment.

The Director of Public Instruction is hence directed to reconsider the order and decide the matter afresh.

WPA 4552 of 2022 is disposed of with the direction on the Director of Public Instruction to take a fresh decision in the matter upon hearing all relevant parties including the petitioner and dispose of the same by way of a reasoned order within a period of four weeks from date. A copy of such reasoned order shall be made available to the petitioner within a week from the date on which such reasoned order is passed.

It is made clear that the Court is not expressing any views on the merits of the matter and the Director of Public Instruction shall take into

account all relevant facts at the time of taking decision in the matter including the order passed on 13th October, 2020.

WPA 4552 of 2022 is disposed of in terms of the above.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)