

05 14.09.2022
rkd Ct.15

W.P.A. 5960 of 2011

Ranjit Ghosh

-vs-

The State of West Bengal & Ors.

Mr. Prosenjit Mukherjee,
Ms. Tiyasas Ghosh

....for the petitioner.

Mr. Susanta Pal

....for the State.

Petitioner prays for appointment on compassionate ground due to untimely death of his father on 17th May, 1992, who was working in the post of Group-D staff in a Government aided High School. After the death of petitioner's father he approached the concerned respondent authorities for providing appointment on compassionate ground and it appears from the memo dated 3rd November, 2008 issued by the District Inspector of Schools (S.E.), Hooghly, being the respondent no.3, that the name of the petitioner was enlisted on the register at serial No.11 on 30th September, 1992.

It further appears that there are communications in between the respondent no.3 and the then Director of School Education, West Bengal being the respondent no.2. The respondent no.2 vide memo dated 21st May, 2008 made certain queries with regard to eligibility of the petitioner to

be appointed on compassionate ground addressed to the respondent no.3 and the respondent no.3 in its turn vide memo dated 3rd November, 2008 responded to the memo of the respondent no.2 dated 21st May, 2008. However, after issuance of the said memo dated 3rd November, 2008 by the respondent no.3 nothing is forthcoming from where it appears that the respondent authorities have taken final decision with regard to the entitlement of the petitioner to be appointed on compassionate ground.

This Court has heard the learned advocates representing the petitioner as well as the State respondents and perused the relevant materials available on record.

Having considered the aforesaid situation, this Court directs the Commissioner of School Education, West Bengal, to take decision on entitlement of the petitioner to be appointed on compassionate ground by passing a reasoned order after granting opportunity of hearing to the petitioner or his representative as well as representative of the District Inspector of Schools (S.E.), Hooghly within a period of twelve weeks from the date of communication of this order.

The decision to be taken by the

Commissioner shall be communicated to the petitioner within two weeks thereafter.

With the above direction, the writ petition stands disposed of.

However, there shall be no order as to costs.

Learned advocate of the petitioner is granted leave to add Commissioner of School Education, as additional respondents upon amendment of the cause title in course of this day.

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

(Saugata Bhattacharyya, J.)