

70.
12.05.2022
S.D.

W.P.A. 7854 of 2022

**Monoj Das
Vs.
The State of West Bengal & Ors.**

Mr. Pankaj Halder
Mr. Sanatan Panja
Mr. Tapas Manna

... For the Petitioner.

Mr. Amal Kumar Sen, A.G.P.
Mr. Lal Mohan Basu

..For the State.

Md. Sarwar Jahan
Sk. Nayeemul Haque

...For the Respondent Nos. 5 & 6.

Petitioner seeks compassionate appointment. He approached this Court on an earlier occasion as his prayer for compassionate appointment was not taken up for consideration by the respondent authority.

The Court by order dated 09.10.2015 passed in W.P. 25368 (W) of 2014 directed the respondent to consider and decide the representation and to pass a reasoned order within a stipulated period of time.

The petitioner was directed to appear before the Chairman, Murshidabad District Primary School Council on 23.12.2015 for personal hearing along with all papers and documents in support of his claim. The petitioner asserts that

hearing was conducted on the said date and the petitioner duly made submissions in support of his claim.

The petitioner filed the present writ petition with the allegation that the fate of the hearing which was taken on 23.12.2015 has not been communicated to him.

At the time of hearing of the present writ petition, learned advocate representing Murshidabad District Primary School Council submits, upon instruction, that a further hearing was conducted by the Chairman of the Council on 06.05.2022. The petitioner was present on the date and the representation of the petitioner praying for compassionate appointment was taken up for consideration. A reasoned order has been passed on 10.05.2022 rejecting the prayer of the petitioner for compassionate appointment. Copy of the order dated 10.05.2022 has been handed over the learned advocate appearing for the petitioner in Court today. A copy of the same is also retained with the records.

As it appears that the prayer of the petitioner for compassionate appointment has already been rejected by the Council, accordingly there is a fresh cause of action and the same cannot be decided in the present writ petition.

The writ petition is accordingly disposed of.

It will be open for the petitioner to take steps in accordance with law, if so advised.

There shall, however, be no order as to costs.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)