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05.05.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

**W.P.A 7102 of 2008
IA No. CAN 1 of 2019
(Old No. CAN 6069 of 2019)**

**Satyajit Talukder
-versus
State of West Bengal & Ors.**

**Mr. Nilendra Narayan Ray.
...For the Petitioner.**

**Ms. Lipika Chatterjee.
...For the State.**

**Mr. Arindam Chattopadhyay.
...For the DPSC.**

**Re: IA No. CAN 1 Of 2019
(Old No. CAN 6069 of 2019)**

Affidavit-of-service filed in Court today is taken on record.

The petitioner prays for recalling the order dated 20th June, 2019.

I have perused the application for restoration and being satisfied with the grounds mentioned therein for non-appearance of the learned advocate for the petitioner on the day when the matter was taken up for consideration by the Court, recall the order dated 20th June, 2019.

The writ petition is restored to its original file and number. The application for restoration being IA No.

CAN 1 of 2019 (Old No. CAN 6069 of 2019) is disposed of.

Re: WPA 7102 of 2008

The matter relates to appointment on compassionate ground.

The father of the petitioner was a primary school teacher who died-in-harness on 28th July, 1982. The petitioner was a minor at the time of death of his father.

In the year 2008 the petitioner made an application for being appointed on compassionate ground.

The petitioner filed the writ application in the year 2008 praying for direction for consideration of his application.

Law in this regard is very well settled.

There can be no reservation of vacancy for considering the prayer of minor heir for being appointed on compassionate ground after attaining majority.

Moreover, nearly 40 years have elapsed from the date of death of the deceased teacher. There is no scope to show compassion to the petitioner at such a delayed date.

At such a belated stage, the prayer of the petitioner for consideration of his case for appointment on compassionate ground cannot be entertained at all.

In view of the above, the instant writ petition fails and is hereby dismissed.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)