

30.11.2022
Court No.238
Item No.49
sp

WPA 15803 of 2017

Debanjana Mitra
Vs.
The State of West Bengal & Ors.

Mr. Soumya Ray,
Mr. Uttam Basak

....for the petitioners

Ms. Debjani Sengupta,
Ms. Koyel Bag,
Mr. Abhijit Chatterjee,
Ms. Shabina Haque

...for the Vidyasagar University

The father of the petitioner died-in-harness as a Laboratory Assistant of a College namely, Sabang Sajanikanta Mahavidyalaya, in Paschim Medinipur. The petitioner being his only daughter applied before the Principal of the said college for her employment on compassionate ground.

It appears from the annexure P-3 to this writ petition that the college in turn by a letter dated August 9, 2014 requested the Director of Public Instruction to consider the case of the petitioner for compassionate appointment and the said communication was received on August 21, 2014.

It is the grievance of the petitioner that till date, her case for compassionate appointment has not been considered. The college in question is affiliated to Vidyasagar University. The First Statute, 1983 of Vidyasagar University provides for compassionate appointment.

I am of the view that an employee of a college affiliated to Vidyasagar University has a right to be considered in terms of the aforesaid provisions.

In view of the above, the writ petition is disposed of with a direction upon the Director of Public Instruction, West Bengal to consider the case of the petitioner in died-in-harness category, within a period of 2 months from the date of communication of a copy of this order. Before passing such order, the Director of Public Instruction shall hear the College authority as well as the petitioner.

A reasoned order shall be communicated to the petitioner within one week thereafter.

Accordingly, WPA 15803 of 2017 is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Kausik Chanda, J.)