

05.12.2022

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WPA 14695 of 2019

Soma Choudhury

Vs.

State of West Bengal & Ors.

Md. Ashraf Ali

Ms. Sabnam Laskar

... For the petitioner.

The respondents are not represented.

Husband of the petitioner was a Group 'D' staff of Netaji Nagar College for Women, Kolkata. He died in harness on February 8, 2008. Thereafter the petitioner applied for her appointment on compassionate ground before the college authority. It appears that lastly on July 5, 2018 the college authority requested the Director of Public Instruction, west Bengal seeking permission to fill up the post under 'died-in-harness' category by the petitioner.

Mr. Ali, learned advocate for the petitioner submits that despite such communication being made no response has been received from the Director of Public Instruction, West Bengal.

An appointment under 'died-in-harness' category should be considered expeditiously as the delay in such consideration may defeat the very purpose of compassionate appointment.

In the factual backdrop as state above, the writ petition is disposed of upon giving a direction to the Director of Public Instruction, West Bengal to consider the case of the petitioner under 'died-in-harness' category within a period of two months from the date of communication of this order. Before passing such order, the Director of Public Instruction, West Bengal

shall afford an opportunity of hearing to the petitioner or her authorised representative and the college authority. The Director of Public Instruction shall communicate the reasoned order to the petitioner within a week from the date of passing of the order.

WPA 14695 of 2019 is accordingly disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(Kausik Chanda, J.)