

25.11.2022
Item No. 3
Ct. No. 238
AKG

WPA 17618 of 2022
Sri Gurudas Bandyopadhyay
Versus
The State of West Bengal & Ors.

Mr. Sanjib Bandyopadhyay,
Mr. Monoj Kumar Mondal
...for the Petitioner

Ms. Debjani Sengupta,
Mr. Abhijit Chatterjee
...for Vidyasagar University

Mr. Pritam Choudhury,
Mr. Abhisek Addhya
...for the Respondent No. 8

The petitioner in this writ petition seeks for compassionate appointment under died-in-harness category. His deceased father was an employee of Khejuri College under Vidyasagar University.

It is not in dispute that the Vidyasagar University First Statute, 1983 provides for compassionate appointment. Though the petitioner had right to come within the zone of consideration, but the fact remains that when his father died, less than two years of his service were left.

Compassionate appointment is provided to the family of the deceased employee to overcome the sudden financial crisis due to untimely death of the breadwinner of the family. In this case, the father of the petitioner

died at the fag end of his service. It cannot be said that the family faced an unexpected financial crisis.

It was known to the family members that the father of the petitioner was going to retire soon and they also had an idea about the amount of money, the deceased employee could get after his retirement.

The death of the petitioner's father did not effectively impact the retiral dues or pensionary benefits of the family.

In that view of the matter, I am not inclined to interfere with the order of the Director of Public Instructions, Government of West Bengal whereby the claim of the petitioner for compassionate appointment has been rejected.

Accordingly, **WPA 17618 of 2022** is dismissed.

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

(Kausik Chanda, J.)