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03.01.2022.
d.p.

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

**W.P.A 18658 of 2021
(Via Video Conference)**

**Sabitri Pramanik
-versus
The State of West Bengal & Ors.**

**Mr. Soumik Ganguli,
Mr. Dilip Kr. Sadhu.
...For the Petitioner.**

**Mr. Ranjan Saha.
...For DPSC.**

The petitioner seeks compassionate appointment. The father of the petitioner was a teacher. He died-in-harness on 14th March, 2009. The petitioner was a minor at the time of death of her father. On attaining majority, the petitioner applied for being appointed on compassionate ground on 13th November, 2020.

It appears from the application made by the petitioner that she applied for appointment before the Hon'ble Chief Minister, Education Minister, District Inspector of Schools (Primary Education) and the Circle Inspector Gopiballavpur II Block. There is however no receipt to show the proof of service of the application.

The learned advocate appearing for the District Primary School Council, Paschim Medinipur opposes the prayer of the petitioner.

It has been submitted that no application for appointment was made before the concerned authority being the District Primary School Council, Paschim Medinipur.

It has further been submitted that the alleged application has been filed at a delayed date.

Prayer has been made for rejecting the writ petition.

I have heard the submissions made on behalf of both the parties.

It appears from record that the teacher died-in-harness way back on 14th March, 2009 when the petitioner was a minor. On attaining majority, the application was made by the petitioner allegedly in the year 2020.

It is settled law that appointment on compassionate ground cannot be claimed as a matter of right.

Law does not permit reservation of vacancy till such time the heir attains majority for being employed on compassionate ground. Employment on compassionate ground is granted with the view to tide over the immediate crisis faced on the death of the bread earner.

Here the employee died in the year 2009 and accordingly the application made in the year 2020 cannot be entertained for providing appointment on compassionate ground.

The writ petition fails and is hereby dismissed.

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

(Amrita Sinha, J.)