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17.01.2022.
d.p.

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

**W.P.A 19783 of 2021
(Via Video Conference)**

**Madhab Charan Chakraborty
-versus
The State of West Bengal & Ors.**

**Mr. Sambhunath Roy,
Mr. Rameshwar Sinha,
Mr. Kamal Kanta Kar.
...For the Petitioner.**

**Mr. Pinaki Dhole,
Ms. Kakali Samajpati.
...For the State.**

The petitioner seeks compassionate appointment. The father of the petitioner was a primary school teacher who died-in-harness on 4th July, 2006.

On the date of death of his father, his mother was serving as Assistant Teacher of a primary school and earned salary of Rs.11,453/- per month. The mother of the petitioner received family pension of Rs.5,389/- and the monthly income from other sources was Rs. 6,000/-. The total family income of the deceased was Rs.22,842/-.

The Commissioner of School Education, pursuant to the direction passed by this Court on 25th January, 2018 in W.P. 29144 (W) of 2017, rejected the prayer of the petitioner by holding that the family was not in distress on the date of death of the father of the petitioner.

It appears from the reasoned order impugned in the instant writ application that the family of the petitioner was held not to be in distress as the mother of the petitioner was serving as a primary school teacher when his father expired.

The idea of providing compassionate appointment is to tide over the immediate financial crisis faced by the family on the death of the bread earner.

In the instant case, it does not appear that there was immediate financial crisis on the death of the father of the petitioner as his mother was already in service on the said date. She also received family pension on the death of her husband.

Appointment on compassionate ground cannot be claimed as a matter of right.

Moreover, a considerable period of time has elapsed from the date when the teacher expired till the present date and the case cannot be considered for providing employment on compassionate ground.

In view of the above, no relief can be granted in favour of the petitioner in the present writ petition.

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.)