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W.P.A. 28775 of 2017

**Koushik Haldar.
Vs
State of West Bengal & Ors.**

Mr. Anjan Bhattacharya.

... For the petitioner.

Mr. Nayan Bihani,
Ms. Papiya Banerjee Bihani

... for the Burdwan University.

The petitioner's father was a typist-cum-clerk in Kabi Nazrul College, attached to Burdwan University. He died in harness.

The claim for compassionate appointment of the petitioner was rejected by the Director of Public Instruction, West Bengal by an order dated June 16, 2016, on the ground that there is no scheme for granting appointment on compassionate ground in died in harness category in Government aided colleges.

Mr. Nayan Bihani, learned advocate appearing for the Burdwan University submits that the relevant statute of Burdwan University does not provide for compassionate appointment.

Mr. Anjan Bhattacharya, learned advocate appearing for the petitioner also admits that there is no provision in the Burdwan University, Act 1981, which provides for compassionate appointment.

Mr. Bhattacharya, however, refers to an appointment letter issued by the College whereby

another person had been appointed as a Sweeper on compassionate ground in the College. The said letter is issued by the Principal of the College.

It does not appear that the Government subsequently approved the appointment. In any event, the case of the petitioner must stand on its own footing. It must be established from the relevant statute. I have already noted that this is an admitted position that the Burdwan University, Act 1981 does not provide for compassionate appointment. The case of the petitioner for compassionate appointment cannot be considered.

Accordingly W.P.A. 28775 of 2017 stands dismissed.

Let urgent certified copies of this order, if applied for, be given to the parties upon compliance with all the necessary formalities.

(Kausik Chanda, J.)