

32
07.03.2022
d.p.

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

**W.P.A 451 of 2022
(Via Video Conference)**

**Kamal Roy
-versus
State of West Bengal & Ors.**

**Mr. S.M. Obaidullah,
Ms. Ankita Dey.
...For the Petitioner.**

**Mr. Bikramaditya Ghosh,
Mr. Pretom Das.
...For the State.**

**Mr. Deborshi Dhar.
...For DPSC, Coochbehar.**

Affidavit of service filed in Court today is taken on record.

The petitioner seeks compassionate appointment. His father was a school teacher who died-in-harness on 9th January, 2005.

The petitioner claims that the application for compassionate appointment was made within the time as specified in law.

It appears from the documents annexed to the writ petition that the Secretary, District Primary School Council, Cooch Behar by a communication dated 7th June, 2006 requested the petitioner to appear for an interview for verification of the documentary evidences on 14th June, 2006 in relation to his case under the

died-in-harness category. Though there is no proof to show that the petitioner duly appeared on the said date but the learned advocate for the petitioner asserts that the petitioner was present on the date of the hearing along with all documents in his support.

The petitioner submits that since thereafter no steps were taken by the respondent authority to proceed with his prayer.

The petitioner made a representation on 6th January, 2022 praying for compassionate appointment and alleges that the same has not been considered till date.

Appointment on compassionate ground is given to tide over the immediate financial crisis faced by the family on the death of the bread earner.

In the present case, the teacher expired in January, 2005. The petitioner was directed to appear in the process of verification on 14th June, 2006, but thereafter it appears that the petitioner did not take any steps in support of his prayer for compassionate appointment.

There is no communication from June, 2006 till January, 2022 as regards to the steps taken by the petitioner in support of his prayer.

At such a belated stage, filing a representation in January, 2022 will not help the petitioner to reopen his prayer for compassionate appointment. The prayer of the petitioner for consideration of his case at such a delayed point of time cannot be accepted by this Court.

The writ petition fails, and is, hereby dismissed.

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

(Amrita Sinha, J.)