

18.07.2023

(S/L-4)

Ct.-18

(P. Jana)

W.P.A. 1447 of 2023

Mithu Rani Mahato & Anr.

-Vs-

The State of West Bengal & Ors.

Mr. Tarapada Das, For the Petitioner.

Ms. Sanghamitra Nandy, ... For the State.

The husband of the petitioner no. 2 was a Group-D staff of a secondary school who died-in-harness on January 15, 1990.

The petitioner no. 2 applied for compassionate appointment but her application was not considered.

The petitioner no. 1 is the daughter of the deceased employee, she is now praying for such appointment, the petitioner no. 2 is supporting the claim of the petitioner no. 1.

The petitioner no. 1, for consideration of her prayer filed a writ petition being WP 333 (W) of 2016. The said writ petition was disposed of vide order dated February 28, 2017 whereby the District Inspector of Schools, District-Purulia, the respondent no. 3 herein was directed to consider the representation of the petitioner no.1.

The respondent no. 3 by the impugned order bearing Memo 03(3)/1/LS dated February 28, 2018 has refused to grant the relief as prayed for by the petitioner no. 1 holding that she has applied for such appointment beyond the prescribed period of time.

The petitioner no. 1 applied for compassionate appointment on February 19, 2003 i.e. after expiry of nearly 13(thirteen) years from the date of death of her father. The relevant Government Memorandum mandates that the application for appointment on compassionate ground is to be made within two years from the date of death of the concerned employee.

This Court, therefore does not find any reason to interfere with the order impugned.

WPA 1447 of 2023 is **dismissed** without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)