

13.7.2023

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**WPA 4838 of 2023**

**Sibani Sarkar**

**Vs.**

**The State of West Bengal & Ors.**

Mr. Ekramul Bari

Mr. S.S. Mondal

Sk. Imtiaj uddin

... For the petitioner.

Mr. Amitava Chaudhuri

Mr. D. Basu

... For the University.

It has been submitted by the learned advocate for the petitioner that though the petitioner's name for compassionate appointment has been recommended by the college before the Director of Public Instruction, Government of West Bengal, till date no steps have been taken by the said authority.

In the light of the judgment delivered in **WPA 23952 of 2022 (Sri Pritam Mallick vs. State of West Bengal and others)** on July 12, 2023, this writ petition is disposed of with a direction upon the Director of Public Instruction, Government of West Bengal, to consider the case of the petitioner for compassionate appointment within a period of six weeks from the date of communication of this order.

However, it is made clear that the Director of Public Instruction shall not reject the case of the

petitioner on the ground that there is no scheme framed by the State or by the University for compassionate appointment.

The Director of Public Instruction shall also not reject the claim on the ground that the family of the petitioner has received the terminal benefits subsequent to the demise of the deceased employee.

The reasoned order should be communicated to the petitioner within seven days thereafter.

With the aforesaid observations, **WPA 4838 of 2023** is disposed of.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)