

Pragati Dutta

Vs.

The State of West Bengal & Ors.

Mr. Samarendra Nath Biswas

.... For the Petitioner

Mr. Biswabrata Basu Mallick

Mr. Sanjib Das.

.... For the State

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

The order impugned in this writ petition is the reasoned order dated June 7, 2022 passed by the respondent no.4 declining the claim for compassionate appointment lodged by the petitioner.

Previously there were two rounds of writ litigations challenging the rejection of the claim of the petitioner seeking compassionate appointment in place of her deceased husband, who died-in-harness, on the one count or the others.

This is the third round of writ petition when the petitioner challenged the rejection of her claim for compassionate appointment on a clear finding of the respondent no.4 that, the qualifying criteria of income level for an appointee of a compassionate appointment was not fulfilled by the petitioner as the income of the petitioner and/or the family of the deceased was higher than the cut off level of income fixed under the State

policy for compassionate appointment, by about Rs.800/- or slightly more.

To claim for compassionate appointment is not a matter of right. Compassionate appointment is a result of the benevolent policy framed by the State. While considering the case of a compassionate appointment such a policy, framed by the State, should be of primary consideration. Inasmuch as, compassionate appointment is not an alternative mode for generation of employment. Compassionate appointment is an employment to meet the immediate financial crisis of the family of a deceased, who died-in-harness, had suffered untimely death of the earning member.

From a scrutiny of the order impugned dated **June 7, 2022, Annexure-P26 at page 82 to the writ petition**, this Court is of the firm view that, after careful consideration of all the facts and figures the authority had arrived at its finding and rejected the claim for compassionate appointment lodged by the petitioner. There was no infirmity in the said decision. There is no reason to interfere with the same.

Resultantly, the writ petition, **WPA 17666 of 2022** being devoid of any merit, stands **dismissed**, without any order as to costs.

(Aniruddha Roy, J.)