

07.08.2023
rc/ct.no.238
Item No.62

WPA No. 17657 of 2023
Shabnam Parveen
Versus
The State of West Bengal & Ors.

Mr. Firdous Samim
Ms. Gopa Biswas
Ms. Mousumi Hazra
Ms. Payel Shome
Ms. Sampriti Saha ...for the petitioner

Mr. Pulak Rajnaj Mondal
Mrs. Bandana Mondal
Mr. Subhrangshu Panda
Mrs. Ina Bhattacharyya
Ms. Mithu Singha Mahapatra ...for the WBCSC

Mr. B.B.Mallick
Ms. Mrinalini Majumderfor the State

Mr. Swapan Kr. Paul...for the respondent nos.4&5

It appears that the husband of the petitioner was an Assistant Professor of Nabagram Amar Chand Kundu College, Murshidabad. The college is affiliated with Kalyani University. He died-in-harness on February 06, 2021. After his death his wife, the petitioner in this case made a representation before the College Service Commission as well as the Director for Public Instruction, Department of Higher Education, Government of West Bengal for her compassionate appointment.

It is the grievance of the petitioner that her representation before the Director for Public Instruction, Department of Higher Education, Government of West Bengal has not yet been considered. The petitioner's case

deserves to be considered in view of the judgment passed by this Court in **WPA 23952 of 2022 (Sri Pritam Mallick vs. State of West Bengal and others)**.

Accordingly this writ petition being WPA No. 17657 of 2023 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 Kalyani 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 17657 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)