

04.09.2023
Item No. 59
Ct. No. 238
AKG

WPA 19278 of 2023
Shri Prabhat Kumar Das
Versus
The State of West Bengal & Ors.

Mr. S. K. Pal,
Mr. Sudeep Pal Choudhuri,
Ms. Diya Nandi

...for the Petitioner

Mr. Nilotpal Chatterjee,
Mr. Satyaki Banerjee

...for Calcutta University

The petitioner seeks compassionate appointment.

It is the case of the petitioner that the father of the petitioner was a sweeper at Sarojini Naidu College under the University of Calcutta.

The petitioner's father died in harness on February 2, 2019. After his death, the petitioner has made several representations before the college for her appointment on compassionate ground.

It is the grievance of the petitioner that till date, no steps have been taken by the college.

In view of the judgments delivered by this Court in **W.P.A. 23952 of 2022 (Sri Pritam Mallick vs. State of West Bengal & Ors.)**, **WPA 5891 of 2023 (Shrimati Binapani Murmu Vs. The State of West Bengal & Others)** and **WPA 10489 of 2022 (Ashoke Patra Vs. The State of West Bengal & Others)**, this

writ petition is disposed of with the following directions:

(a) The relevant College shall cause an enquiry to ascertain whether there is an existing financial crisis in the family of petitioner within one month from date.

(b) If the enquiry report justifies a compassionate appointment in favour of petitioner, the college shall recommend his name for compassionate appointment and forward all the relevant documents and the enquiry report to the Director of Public Instruction, West Bengal for his approval within one week thereafter.

(c) The Director of Public Instruction shall take a decision with regard to the compassionate appointment of petitioner within six weeks thereafter. The case of the petitioner should not be rejected on the ground of absence of any scheme for compassionate appointment or on the ground that the petitioner's family has received the terminal benefits after the death of petitioner's father. The order should be communicated to petitioner within seven days thereafter.

With the aforesaid directions, **WPA 19278 of 2023** is disposed of.

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

(Kausik Chanda, J.)