

14.9.2023

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WPA 20672 of 2023

Smt. Sampa Biswas
Vs.
The State of West Bengal & Ors.

Mr. Mrinal Kanti Das
... For the petitioner.

Mr. Suhrid Sur
... For respondent nos. 7 & 8.

Mr. Nilotpal Chatterjee
Mr. Satyaki Banerjee
... For the University.

Mr. Jahar Dutta
Ms. Neelam Singh
... For the State.

Affidavit-of-service filed by the petitioner is kept with the records.

The husband of the petitioner was a Group – D staff at Dinabandhu Andrews College, Garia. The said college is affiliated with the Calcutta University.

After the demise of her husband, the petitioner made a representation before the college authority on May 02, 2023 seeking her appointment on compassionate ground.

Mr. Mrinal Kanti Das, learned advocate appearing for the petitioner submits that the said representation has not yet been considered 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 the petitioner within two weeks from date.
- (b) If the enquiry report justifies a compassionate appointment in favour of the petitioner, the college shall recommend the petitioner's 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.
- (c) The Director of Public Instruction shall take a decision with regard to the compassionate appointment of the petitioner within six weeks thereafter. The order should be communicated to the petitioner within seven days thereafter.

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 in place for compassionate appointment. It is further made clear that the terminal benefits, if any, received

by the petitioner will also not be a ground for rejection of the petitioner's case.

With the aforesaid observations, **WPA 20672 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.)