

24.01.2023
Court No. 19
Item No.322
CP

W.P.A. No. 19348 of 2019

Smt. Nayanti Das
Vs.

The State of West Bengal & Ors.

Mr. Bidyut Baran Biswas
Mr. R. K. Rath

....for the petitioner.

Mr. Santanu Kumar Mitra
Mr. G. Mukherjee

...for the State.

The Joint Secretary to the Government of West Bengal, Department of Panchayat & Rural Development shall intimate the petitioner the fate of the proposal for her appointment on compassionate ground.

As per the proposal for appointment issued by the Commissioner of Panchayats and Rural Development, West Bengal, the petitioner was placed at SL No. 536. The petitioner submits that the seriality has not been maintained and persons lower in rank than the petitioner have been given appointment.

Mr. Mitra, learned advocate appearing for the State respondents, denies such contention and submits that neither the enlistment at SL No. 536 nor the proposal, created any vested right. Such appointment shall be subject to the vacancies

available in the died-in-harness category. The petitioner cannot claim compassionate appointment as a matter of right.

Be that as it may, this court is of the view that the petitioner has a right to know the fate of such proposal for her appointment. A decision shall be communicated to the petitioner in this regard. The date of last appointment from the list of proposed candidates in the died-in-harness category and the serial number of such person, shall be intimated to the petitioner. No one should supercede the petitioner. The possibility of the petitioner's appointment as per the proposal, shall be intimated as well.

Such intimation shall reach the petitioner within a period of eight weeks from the date of communication of this order.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)