

21.6.2023

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**WPA 21827 of 2018
with
IA No.CAN 1 of 2023**

Surajit Kumar Das & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Debabrata Sahas Roy
Mr. Soumen Bhattacharji
... For the petitioners.

Mr. Sanjib Kumar Mal
... For respondent nos. 4-6.

Re: IA No. CAN 1 of 2023

This is an application for restoration.

Having considered the averments made in paragraph 4 of the restoration application, I am of the view that the petitioners have sufficiently explained the reason for their non-appearance before this Court of May 02, 2023.

Accordingly, the order dated of May 02, 2023 is recalled and the writ petition is restored to its original file and number.

CAN 1 of 2023 is allowed.

WPA 21827 of 2018

In this writ petition petitioner no.1 has prayed for compassionate appointment.

Petitioner no. 1 submits that his father was employed as a Group – D staff (Laboratory Attendant) at

Nabagram Hiralal Paul College, Hooghly. He died in harness on January 16, 2017. Immediately, petitioner no. 1 made representations before the authorities, including the college, seeking his appointment on compassionate ground. Till date, the college has not taken any steps to consider his case for compassionate appointment.

The college is represented. It has been fairly submitted by the college that the college shall consider the case of petitioner no. 1 for compassionate appointment in a time bound manner.

In that view of the matter, I am not inclined to keep this matter pending before this Court. This writ petition is disposed of with the following order:

- a) The college shall form an enquiry committee to ascertain the financial need of the deceased employee's family and thereafter the case of petitioner no. 1 for compassionate appointment shall be considered by the college in the light of report of the enquiry committee.
- b) If it is found that petitioner no. 1 deserves an appointment on compassionate ground, the college shall forward the name of petitioner no. 1 to the Director of Public Instruction, Government of West Bengal for his approval.

- c) The aforesaid exercise should be completed by the college within two months from the date of communication of this order.
- d) The Director of Public Instruction upon receipt of the documents from the college shall take a decision regarding his approval on compassionate appointment of petitioner no.1 within one month.
- e) The decision shall be communicated to the petitioner no.1 within a week thereafter.

Accordingly, **WPA 21827 of 2018** 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.)