

02.03.2023
Court No. 19
Item no.13
CP

CPAN/1354/2019
IN
WPA 34078 OF 2014

SANDIP MONDAL
VS
DR. PERUMAL ULGANATHAN & ORS.

Mr. Subhas Chandra Basu
...for the petitioner.

Mr. Pantu Deb Roy
Mr. Pannalal Bandopadhyay
....for the State.

The status report filed by the Additional Secretary to the Government of West Bengal, P & RD Department is taken on record.

The court does not find that there was ever any recommendation in favour of granting appointment to the petitioner under the died in harness category. The petitioner does not have the minimum qualification to be appointed as a Group – D staff under the panchayati raj institutions. Such fact cannot be denied by the petitioner. The desire of the Pradhan that the matter be treated sympathetically precedes a statement that he had passed Class VI.

The desire of the Pradhan and engagement of the petitioner by way of a private arrangement cannot be accepted as a recommendation. The

Pradhan requested for a sympathetic consideration. The petitioner does not fulfil the eligibility criteria.

Compassionate appointment is a special mode of appointment, in deviation to the usual process for recruitment to public offices. The three-men enquiry committee long time ago, rejected the case of the petitioner as he did not have the minimum qualification.

The court does not find any contempt. The decision of the authority shall once again be communicated to the petitioner within four weeks from date.

A copy of the status report shall also be handed over to the learned advocate for the petitioner.

The contempt proceeding is dropped.

The application is disposed of.

(Shampa Sarkar, J.)