

**CALCUTTA HIGH COURT IN THE CIRCUIT BENCH
AT JALPAIGURI**

**60
06.07.2023
adeb**

WPA 1106 of 2023

**Jiban Singha Karjee
Vs.
The State of West Bengal & Ors.**

**Mrs. Sabita Khutia (Bhunya)
...for the petitioner**

**Mr. Amales Roy
Mr. Debarshi Dhar
...for the District Primary School Council**

**Mr. Hirak Barman
Mr. Momenur Rahman
...for the State**

The writ petition is taken up for consideration in presence of the learned advocates representing the petitioner, State-respondents and District Primary School Council, Coochbehar. The learned advocate representing the petitioner submits that his father was assistant teacher of a primary school in the district of Coochbehar who died in harness on 29th July, 2019. After the death of the father of the petitioner he made an application to the Chairman, District Primary School Council, Coochbehar on 10th September, 2020 for providing employment under died in harness category.

The learned advocate representing District Primary School Council, Coochbehar on instruction has submitted that the application of the petitioner for compassionate appointment was forwarded to the

District Inspector of Schools (SE), Coochbehar vide memo dated 13th June, 2023 for taking necessary steps.

The grievance of the petitioner is even after forwarding the issue from the end of the District Primary School Council, Coochbehar no steps have been taken by the State-respondents relating to grant of appointment on compassionate ground.

Having considered the aforesaid situation this Court directs the Commissioner of School Education, Government of West Bengal being the respondent no. 2 to take a reasoned decision on entitlement of the petitioner to get compassionate appointment within a period of 12 weeks from the date of communication of this order. Before taking such decision the petitioner shall be given opportunity of hearing. The decision to be taken by the respondent no. 2 shall be communicated to the petitioner within 2 weeks thereafter.

With the aforesaid directions, the writ petition stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)