

26.06.2024
Sn/sl.19
Ct. no.23

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(APPELLATE SIDE)**

WPA 4811 of 2024

**Utpal Narjinary
Vs.
Union of India & Ors.**

Mr. Saunak Bhattacharyya
Mr. Saunak Mondal
Mr. Abhirup Halder
Mr. Arindam Saha Roy
..for the petitioner

Mr. R.N. Bag
Ms. Sharmila Datta Das
Ms. Anusuya Bhattacharyya
..for the respondent 2-5
Mr. Rajendra Banerjee
Mr. Loknath Chatterjee
..for the U.O.I.

Affidavit of service filed by the petitioner is taken on record.

The petitioner had applied for compassionate appointment on his father's demise on 7th March, 2013 while in the service of Kendriya Vidyalaya Sangathan(respondent no.2). The petitioner says that considering the petitioner's application along with others who are claiming compassionate appointment, the respondent no.2 prepared a short list of candidates entitled to be provided compassionate appointment. This was communicated to the petitioner by a memo dated 8th March, 2021, which is annexed at page 24 of the writ petition. The petitioner says that the petitioner's name

figured in the list under serial no.8 but has not been provided with compassionate appointment till date.

On behalf of the respondents, it is submitted that the compassionate appointment is being provided in gradual manner from out of the list indicated in the memo dated 8th March, 2021. It is expected that the petitioner may get his turn within a short period.

Compassionate appointment is not a matter of right but is provided in terms of the scheme if prevalent in the employers' organization to tide over the financial hardship that may arise with the loss of the sole bread earner. Since the petitioner's name has already been included in the list, it is expected that the petitioner should be offered compassionate appointment within a reasonable period of time. Going by such submission the respondents are directed that in the next meeting to be held for the purpose of discussing the issue on compassionate appointment, the petitioner's name shall be considered for compassionate appointment and shall be offered such appointment if he fulfils all other criteria.

Nothing further remains to be adjudicated in this writ petition. The same is accordingly disposed of.

Since I have not called for any affidavits, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

Urgent photostat copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Arindam Mukherjee, J.)