

22.04.2024
Item No.04 DL
Court No.18
AJ.

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

W.P.A. 11663 of 2023

Ananya Chakraborty

-Vs-

The State of West Bengal & Ors.

Mr. Sankar Prasad Dalapati,
Mr. Tamal Taru Panda,
Mr. Safik Dewan.

.....for the petitioner.

Mr. Biswabrata Basu Mallick, A.G.P.,
Mr. Sanjib Das.

.....for the State.

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey.

.....for the WBCSSC.

Mrs. Koyeli Bhattacharyya,
Mr. Partha Ganguly.

.....for the WBBSE.

The husband of the petitioner was an Assistant Teacher of Bhatina Junior High School, District : Birbhum who died-in-harness on August 06, 2018. The petitioner is praying for compassionate appointment.

Mr. Dalapati, learned Advocate for the petitioner submits that in compliance with the direction passed by this Court, the West Bengal Central School Service Commission (Eastern Region) vide recommendation Memo bearing No. 10/C/DH/NT/RSSC (ER)/2024 dated January 18, 2024 has recommended the compassionate appointment of the petitioner for the post of Clerk at Joykrishnapur High School, District- Birbhum. He files photocopy of the said recommendation memo, let it be kept with the record.

Mr. Dalapati complains that though the said recommendation has been forward to the West Bengal

Board of Secondary Education, the respondent no. 7 herein but till date, the appointment letter has not been issued.

Mrs. Bhattacharyya, learned advocate for the Board submits that in violation of the relevant Rules and the Standard Operating Procedure(SOP), the vacancy in which the petitioner has been recommended for appointment was reported to the Commission *directly* from the end of the District Inspector of Schools (S.E.), District : Birbhum, the respondent no.5 herein, for which the Board is a little bit hesitant to process the issuance of the appointment letter in favour of the petitioner.

The prayer of the petitioner since has matured to the stage of issuance of recommendation, the respondent no. 7, ignoring the technical irregularities in the route of reporting vacancy to the Commission, shall take immediate steps for issuance of appointment letter to the petitioner and shall conclude the said exercise within a period of six weeks from date of communication of this order.

WPA 11663 of 2023 is disposed of with the above terms without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)