

27.06.2024.  
Court No.13  
Item No.19  
ap

**W.P.A. No. 13208 of 2016**  
**Sanat Palui**  
**Versus**  
**The State of West Bengal & Ors.**

Mr. Sabyasachi Chatterjee,  
Mr. Sandipan Das,  
Mr. Badrul Karim,  
Mr. Kiron Sk.  
Mr. Sagnik Roy.

...For the petitioner.

Mr. Ranjan Saha.

...For the DPSC, Paschim Medinipur.

Mr. Pinaki Dhole,  
Mr. Abhishek Prasad,  
Mr. Krishna Pada Santra.

...For the State.

1. The petitioner challenges an order dated 3<sup>rd</sup> November, 2015 passed by the Chairman, District Primary School Council, Paschim Medinipur.
2. Counsel for the petitioner Mr. Kiron Sk. led by Mr. Sabyasachi Chatterjee has very ably placed the facts of the case and has delinquent and sincerely advanced arguments to seek compassionate employment in favour of the petitioner.
3. This Court, however, notes in the facts of the present case that the petitioner is about 58 years old today. His father died in the year 1973. The other reasons for rejecting the case of compassionate employment are already contained in the order dated 3<sup>rd</sup> November, 2015.

4. This Court is of the view that a claim for compassionate employment by the legal heirs of a person, who died in the year 1973, could not have been considered in the year 2015 by a Co-ordinate Bench of this Court in its order dated 8<sup>th</sup> April, 2015 passed in W.P. No. 7665 (W) of 2015. Reference in this regard is made to the decisions of the Supreme Court in the case of **State of West Bengal –Vs- Debrabrate Tiwari** reported in **2023 Livelaw (SC) 175** particularly Para 7 thereof.

5. Be that as it may, the reasoning based on which the impugned order dated 3<sup>rd</sup> November, 2015 has been passed by the District Primary School Council, Paschim Medinipur cannot be faulted.

6. In those circumstances, no relief can be granted to the writ petitioner in this writ petition.

7. With the aforesaid directions, the instant writ petitioner is disposed of without any orders.

8. There will be no order as to costs.

9. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

**(Rajasekhar Mantha, J.)**