

W.P.A. 15201 of 2016

**Tapapriya Biswas
Vs.
The State of West Bengal & Ors.**

Mr. Syed Mansoor Ali
...for the petitioners

Mr. Arjun Roy Mukherjee
Mr. Subhendu Sengupta
...for the State

In the writ petition order of the Joint Secretary to the Government of West Bengal, Panchayat and Rural Development Department is under challenge. By the said order dated 26th March, 2010 the prayer of the petitioner to accord compassionate appointment in view of death of his father on 23rd March, 2000 has been spurned.

Parties to this writ petition are heard and the order dated 26th March, 2010 is perused. It appears from the impugned order that while considering the candidature of the petitioner for being appointed on compassionate ground the concerned authority found that aggregating family pension which mother of the petitioner was receiving after the death of petitioner's father with the salary of the mother of the petitioner was more than income of the deceased employee at the time of his death and that being the reason the prayer for appointment on compassionate ground was rejected. It is also submitted that petitioner's mother was primary teacher working in an approved post and was drawing salary regularly.

Petitioner's father died on 23rd March, 2000 and thereafter the prayer for appointment on compassionate ground was rejected vide order dated 26th March, 2010. Writ petition has been filed on 5th August, 2016.

It is well settled by virtue of the judgments delivered by the Supreme Court in umpteen number of cases that object of providing compassionate appointment is to tide over immediate financial need. Since mother of the petitioner was working in an approved post as primary teacher and after rejection of the prayer of the petitioner to provide compassionate appointment on 26th March, 2010 writ petition was instituted on 5th August, 2016, precisely 6 years after the order of rejection. It appears that there was no immediate financial assistance required so far the petitioner is concerned after the death of his father.

Accordingly, the writ petition stands dismissed.

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.)