

10 05.09.2024
rkd Ct.18

W.P.A. 21518 of 2024

Arpita Nandi

-vs-

The State of West Bengal & Ors.

Mr. Ekramul Bari,
Sk. Imtiaj Uddin

....for the petitioner.

Mr. Sanjay Mukherjee

....for the State.

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

By presenting this writ petition the order of the District Inspector of Schools (SE), Nadia dated 24th October, 2019 whereby prayer of the petitioner for appointment on compassionate ground has been refused, is questioned.

The concerned District Inspector of Schools (SE) has rejected the application of the petitioner for appointment on compassionate ground on the count that petitioner is a married daughter of the deceased Group-D employee who was working in a Government aided secondary school.

The learned advocate representing the State respondents has opposed the writ petition on the ground that the impugned order was passed by the concerned District Inspector of Schools (SE), Nadia

four years back on 24th October, 2019.

It is well settled by virtue of the orders of the Hon'ble Supreme Court that the main object of providing compassionate appointment is to tide over immediate financial constraints of the family of the deceased employee. Compassionate appointment is not vested right.

In the present case petitioner has approached this Court approximately after four years from the date of passing impugned order on 24th October, 2019. The writ petition has been presented on 22nd August, 2024 which goes to show that the family of the deceased employee has not been suffering from financial hardship due to death of the deceased employee.

It needs to be recorded herein that in paragraph 7 of the present writ petition statements have been made that the petitioner filed another writ petition being WPA 475 of 2020 but the same was withdrawn with a liberty to file another writ petition on the selfsame cause of action. Neither copy of the said order is annexed to this writ petition nor the date of the said order is disclosed. Therefore, Court needs to proceed based on the impugned order dated 24th October, 2019 which is under challenge in the present writ petition

considering the time gap in between the impugned order passed by the concerned District Inspector of Schools (SE), Nadia and the date of instituting the present writ petition. It transpires that the steps taken in filing the present writ petition is afterthought.

In above conspectus, the writ petition stands dismissed.

However, 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.)