

WPA 21219 of 2023

***Rehaan Fazal
Vs.
The State of West Bengal & Ors.***

Mr. Saibal Acharyya,
Mr. Subir Hazra,
... .. *For the Petitioner*

1. Despite service of notice of the writ petition and notice of upgradation, the respondents are not represented.

2. The petitioner challenged an order dated 26th September, 2022 passed by the District Inspect of Schools (P.E), Hooghly.

3. By the impugned order, the petitioner's claim for compassionate appointment was rejected. The District Inspector of Schools has added Rs.67,140/-, being the income of two other brothers of the petitioner with the pension and medical allowances payable to the petitioner's mother, being a sum of Rs.8,040/-. It was, thereafter, found that the basic income of the family exceeded the wages payable to a Group-'C' staff of the State.

4. It is submitted by the counsel for the petitioner that the two brothers, namely, Md. Ibrahim and Md. Wasim do not stay with the petitioner's mother.

5. A representation was made to the District Inspector of Schools in this regard by the petitioner.

6. In those circumstances, this Court directs the District Inspector of Schools, Hooghly to revisit the

matter and ascertain as to whether the petitioner's brother, Md. Ibrahim and Md. Wasim share the same mess as that of the petitioner and his mother and pass appropriate orders as regards total family income of the deceased daughter, namely, Md. Salim who died on 30th May, 2020.

7. Admittedly, the sister had four sons and a daughter and left behind a widow and a mother.

8. Let a fresh decision be taken by the District Inspector of Schools, Hooghly, after making inquiries either by himself or through local Gram Panchayat and pass an appropriate order within a period of two months from date.

9. The impugned order dated 26th September, 2022 shall stand set aside.

10. The writ petition is disposed of accordingly.

11. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)