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11.11.2024
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Ct. 17

WPA 26483 of 2024

Debayan Choudhury

-vs-

The State of West Bengal & ors.

Mr. Prahlad Chandra Ghosh

Mr. Subir Hazra

...for the petitioner

Mr. Prasanta Kr. Giri

...for the State

The writ petitioner's claim for compassionate appointment was rejected by comparing the family income of the deceased with an initial gross salary of Group-'D' staff. However, at the time of arriving at such inference, it was not clarified as to what were the papers that were considered. It also does not appear that a personal hearing was given to the claimant before passing such order.

In view of the above, the impugned order rejecting the prayer of the petitioner for being considered for appointment on compassionate ground is set aside and the matter is remanded back to the District Inspector of Schools (SE), Uttar Dinajpur to consider the matter afresh, strictly in accordance with law and after hearing the petitioner/claimant in this regard expeditiously, preferably within six weeks of communication of this order.

The outcome of the decision shall be communicated to the petitioner within a week thereafter.

The writ petition is disposed of.

Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)