

11.07.2024
Court No.13
Item No. 48
pk

WPA 28716 of 2023

Kakali Dutta
Vs.
The State of West Bengal and others

Mr. Bidhayak Lahiri,
Ms. Rinku Pachhal
... for the petitioner.

Mr. Suman Dey
... for the State.

Mr. Sunit Kumar Roy
... for the School Service Commission.

Mr. Ratul Biswas,
Mr. Kaushik Chowdhury
... for the DPSC Howrah,

1. Affidavit of service filed in Court is taken on record.
2. The writ petitioner is the wife of Arup Kumar Dutta, who was a headmaster of Dakshin Sherpur Primary School under the DPSC, Howrah. The husband of the writ petitioner died on 2nd June, 2020.
3. The writ petitioner made an application for compassionate employment on 26.06.2020. The DPSC, Howrah processed her application and forwarded the same to the School Service Commission (SSC). The SSC asked her to appear on 19.01.2023 at 11.00 a.m. with original documents and self-attested photocopies thereof, which she did. The respondents have not taken any steps thereafter.

4. From the averments and submissions of the learned advocates for the DPSC, Howrah and the State, it appears that the writ petitioner has made out a good case and she is entitled to be appointed in Group-C post in the secondary section under the D.I. of Schools (SE), Howrah.
5. The learned advocate for the School Service Commission submits that a new SOP has been adopted by and between the School Service Commission, West Bengal Board of Secondary Education and the Commissioner of School Education to streamline the process of compassionate employment. In terms of the SOP and after following the same, several recommendations have been issued by the Regional School Service Commission. It is possible that the petitioner's case may have been recommended by the Southern Regional School Service Commission.
6. Having heard the learned advocates for the parties, this Court is of the view that the West Bengal School Service Commission must recommend the case of the petitioner for appointment in Group-C post in a school nearby her residence and a letter of appointment must be issued by the West Bengal Board of Secondary Education in favour of the writ petitioner, if not already issued by the said Authority till date.

7. It is expected that the letter of recommendation and appointment are issued to the petitioner by the concerned authorities within a period of one month from the date of communication of a copy of this order along with a copy of the writ petition. Any formalities required to be completed by the petitioner.
8. With the aforesaid observations, the writ petition is disposed of.
9. There will be no order as to costs.

(Rajasekhar Mantha, J.)