

09
31.01.2024
d.p.

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A 175 of 2024

**Poulami Singha
-versus
The State of West Bengal & Ors.**

**Mr. Deborshi Dhar.
...For the Petitioner.**

**Mr. Pretom Das,
Mr. Sandip Guha Roy.
...For the State.**

The prayer for compassionate appointment of the petitioner under the died-in-harness category stood rejected by the District Inspector of Schools (SE), Coochbehar by passing an order on 18th September, 2020. The reason for disallowing the prayer of the petitioner has not been mentioned in the impugned order of rejection. The reasoned order is an absolute non-speaking one and is liable to be set aside.

Learned advocate appearing on behalf of the State respondents submits, upon instructions, that though the reason has not been mentioned in the rejection order but the ground for rejection of the petitioner's prayer is that she was under aged on the day the application for appointment on compassionate ground was filed by her.

From the documents annexed to the writ petition it appears that the date of birth of the petitioner is 4th January, 2005. The father of the petitioner, who was an employee of the school, died-in-harness on 11th June,

2018. The petitioner applied for compassionate appointment on 12th December, 2019 and her prayer stood rejected by the District Inspector of Schools on 20th September, 2020.

Admittedly, on the day the father of the petitioner expired, she was a minor. On the day her application for appointment under died-in-harness category stood rejected, she was still a minor. The petitioner, however, has attained her majority at the time of filing of the writ petition.

Accordingly, the rejection of the petitioner's prayer for being appointed on compassionate ground, though not clearly mentioned in the impugned order, appears to be absolutely proper.

In view of the above, no relief can be granted to the petitioner in the instant writ petition.

The writ petition fails and is hereby dismissed.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)