

18.03.2025
Court No. 18
Item No. 23
(Suvendu)

WPA 2628 of 2025

Sunita Bagdi
-Versus-
The State of West Bengal & Ors.

Mr. P.K. Bhattacharya
.....for the petitioner

Ms. Biswabrata Basu Mallick, Ld. AGP
Ms. Parna Roy Chowdhury
.....for the State

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

Petitioner has questioned the order dated
1st July, 2024 passed by the District Inspector of
Schools (SE), Purba Bardhaman being
respondent no.2 whereby prayer of the petitioner
for appointment on compassionate ground was
rejected. It is submitted on behalf of the
petitioner that cogent reasons have not been
assigned in support of decision taken by
respondent no. 2.

Mr. Basu Mallick, learned Additional
Government Pleader representing State
respondents submits that apart from income

criteria of family of deceased teacher, application seeking appointment on compassionate ground was not made within the statutory period of two years before the concerned respondent authorities. Therefore, petitioner lost opportunity to be considered for appointment on compassionate ground.

Having considered the respective submissions made on behalf of the parties and taking note of the relevant provisions as contained under Schedule V to West Bengal School Service Commission (Selection of Persons for Appointment to the Post of Non-Teaching Staff) Rules, 2009, it appears that a dependent family member of the deceased teacher is required to apply for appointment on compassionate ground within two years from the date of death of the teacher. In the present case, teacher died on 12th May, 2021 and application for appointment on compassionate ground was made on 22nd January, 2024.

It is trite law that object of providing compassionate appointment is to tide over immediate financial requirement and taking note of such financial requirement provision has been made in the Rules of 2009 that an application

for appointment on compassionate ground may be made within two years from the date of death of employee. After a considerable period of time requirement to provide compassionate appointment is withered away.

Hence, no relief can be granted to the petitioner and writ petition stands dismissed.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)