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06.03.2025
Ct. No. 18
(ARPAN)

W.P.A. 3903 of 2025

**Salma Sultana
Vs.
The State of West Bengal & Ors.**

Ms. Irina Mullick

...for the Petitioner

Mr. Shamim Ul Bari
Ms. Indrani Nandi

...for the State

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

By presenting this writ petition, petitioner being the daughter of the deceased teacher has laid claim for appointment on compassionate ground since her father died-in-harness on 19th April, 2012. It is submitted that after death of father on 19th April, 2012, an application seeking appointment on compassionate ground was made by the petitioner on 30th August, 2012 but subsequently no steps were taken by the respondent authorities for taking decision on the claim of the petitioner to be appointed on compassionate ground.

Petitioner prays for direction upon the respondent authorities to take steps based on application made for providing appointment on compassionate ground on 30th August, 2012.

State respondents are represented by learned advocate who has opposed this writ petition on the ground of delay. It is submitted that the writ petition was

instituted on 17th February, 2025 whereas father of the petitioner died on 19th April, 2012.

Having considered the submissions made on behalf of the parties, it appears that father of the petitioner died-in-harness on 19th April, 2012. Though an application was made on 30th August, 2012, subsequently nothing is on record which goes to show that contemporaneous steps were taken from the end of the petitioner in order to be considered for appointment on compassionate ground.

Moreover, it is submitted on behalf of the petitioner that at the time of death of her father on 19th April, 2012, she did not attain majority.

It is trite law that if applicant seeking appointment on compassionate ground does not attain majority at the time of death of his/her father, he/ she is not entitled to be considered for appointment on compassionate ground. Moreover, object of providing appointment under compassionate ground is to tide over immediate financial hardship. In this matter father of the petitioner died on 19th April, 2012 whereas the present writ petition has been instituted precisely after 13 years on 17th February, 2025 which goes to show there was no requirement to provide appointment on compassionate ground.

Hence, writ petition stands dismissed.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)