

S/L 9  
04.03.2025  
Court No.19  
SD

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION

WPA 4119 of 2025

Arindam Sarkar  
Vs.  
The State of West Bengal & Ors.

*Mr. K.M. Hossain*

*...for the Petitioner.*

*Mr. Biswabrata Basu Mallick, Ld. AGP*  
*Ms. Sayantani Bhattacharya*

*...for the State.*

*Mr. Supriyo Chattopadhyay*  
*Ms. Iti Dutta*

*...for the DPSC, Dakshin Dinajpur.*

Affidavit of service filed on behalf of the petitioner in Court today be kept with the record.

The father of the petitioner was an Assistant Teacher in a High School. He died-in-harness on August 21, 2019. The petitioner had prayed for compassionate appointment in the post of Assistant Teacher in primary school.

The District Inspector of Schools (SE), Dakshin Dinajpur, the respondent no.3 herein by an order dated March 6, 2020 had rejected the said prayer of the petitioner holding, inter alia, that he lacked the requisite qualification for appointment in the post of Assistant Teacher.

Mr. Hossain, learned advocate for the petitioner submits that subsequently, the petitioner has acquired the requisite qualification; therefore the authorities must reconsider the prayer of the petitioner.

Mr. Basu Mallick, learned AGP submits that admittedly the petitioner was not qualified to get the appointment in the post of Assistant Teacher; therefore the order dated March 6, 2020 cannot be faulted, subsequent acquisition of qualification cannot be a ground to interfere with the said order.

Heard the learned advocates for the parties; perused the materials on record.

The prayer of the petitioner for compassionate appointment in the post of Assistant Teacher was rejected on the ground for not having requisite qualification; subsequent

acquisition of such qualification does not alter the position. The prayer of the petitioner therefore cannot be considered.

WPA 4119 of 2025 is dismissed without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance of all requisite formalities.

**(Biswajit Basu, J.)**