

**23.06.2025.**  
**26**  
**Ct.No.7.**  
**as**

**WPA 4914 of 2025**

**Ramjan Ali Sk.**  
**Vs.**  
**The State of West Bengal & Ors.**

Mr. Indranil Chakraborty,  
Mr. Avirup Chatterjee,  
Mr. Rishov Das.  
...for the Petitioner.

Mr. Sirsanya Bandopadhyay,  
Ms. Tapati Samanta.  
...for the State.

Ms. Satabdi Das.  
....for the Respondent No.5.

1. Affidavit-in-reply filed on behalf of the petitioner to the affidavit-in-opposition filed on behalf of the respondent Nos.3 and 4 is taken on record.
2. The present writ petition assails the legality and propriety of the order dated 28.08.2023, issued by the District Inspector of Schools, whereby the petitioner's application for appointment on compassionate grounds was rejected. Additionally, the petitioner seeks a writ of mandamus directing the concerned respondent authority to appoint him on compassionate grounds, upon due compliance with the requisite formalities.
3. Briefly stated, the facts giving rise to the present writ petition are the petitioner's father, who was serving as a Group-'D' staff member at Sangrampur Tabarakia High Madrasah (HS) (hereinafter referred to as 'the institution'), passed away while in service on 24.06.2013. He was survived

by his widow, Smt. Ayesha Bibi, the petitioner (his only son), and seven daughters. Following his father's demise, the petitioner applied for compassionate appointment to a Group-‘D’ post in the said school, asserting that he had passed Class VIII. In support of his educational qualification, the petitioner submitted a certificate issued by the same institution, viz., Sangrampur Tabarakia High Madrasah (HS).

4. The records reveal that two certificates were submitted to the District Inspector of Schools on behalf of the petitioner. However, the said certificates reflect two different dates of birth—namely, 02.06.1978 and 02.06.1988. This discrepancy raised a suspicion in the mind of the District Inspector of Schools, prompting him to depute the Additional District Inspector of Schools to visit the institution with a view to verifying the authenticity of the aforesaid certificates.

5. During the course of verification, the school authorities failed to produce any documentary evidence to establish that the petitioner had ever been admitted to the said institution or had appeared in any examination conducted by it. Notwithstanding this, the certificates in question stated that they were issued on the basis of entries made in the school’s admission register. Pursuant thereto, the Additional District Inspector of Schools submitted a report wherein he recorded that he was unable to verify the authenticity of the Class VIII pass certificate submitted by the petitioner.

6. Thereafter, by an order dated 28.08.2023, the District Inspector of Schools rejected the petitioner’s application for compassionate appointment on the ground that the Class VIII

pass certificate submitted by the petitioner could not be authenticated by the competent authority

7. Mr. Chakraborty, learned Advocate appearing for the petitioner, submits that the petitioner cannot be held liable for the loss of relevant records by the school authorities. He contends that it was the duty of the school, being the lawful custodian of such documents, to preserve and produce the admission register and other relevant records before the Additional District Inspector of Schools during the course of certificate verification. He further submits that due to the school authority's negligent and lackadaisical approach in maintaining its records, not only has the petitioner been prejudiced, but several other students similarly placed are likely to suffer irreparable loss and hardship.

8. He further submits that, in the facts and circumstances of the case, an appropriate direction may be issued upon the District Inspector of Schools to consider the matter in its proper perspective, adopt a pragmatic approach, and to appoint the petitioner on compassionate ground, taking into account the certificate submitted on his behalf

9. Ms. Samanta, learned advocate appearing for the State, vehemently opposes the prayer of the petitioner. She submits that the petitioner has failed to discharge the burden of producing credible and verifiable documents in support of his claim of having passed Class VIII. She further contends that the District Inspector of Schools has rightly rejected the petitioner's application for compassionate appointment, as the claim was not substantiated by any authenticated evidence.

10. Heard the learned advocates appearing for the respective parties and perused the materials on record.

11. Needless to emphasis that the objective of granting compassionate appointment is to provide immediate relief to the bereaved family, which is plunged into financial distress due to the untimely demise of its sole breadwinner. However, it is equally well-settled that the candidate seeking such appointment must possess the requisite eligibility and qualifications to hold a post in the concerned establishment or institution.

12. As previously noted, the petitioner's father passed away in 2013. In his application for compassionate appointment, the petitioner claimed to have passed Class VIII from Sangrampur Tabarakia High Madrasah (HS), supported by a certificate issued by the Headmaster of the said institution. However, as earlier observed, doubts arose in the mind of the District Inspector of Schools regarding the authenticity of the certificate. During the verification process, the school authorities failed to produce any reliable or corroborative documents to substantiate the genuineness of the certificate. Consequently, the District Inspector of Schools declined to entertain the petitioner's claim for compassionate appointment.

13. It is indeed surprising that the petitioner, having progressed from Class I to Class VIII in two different schools, has failed to retain any documentary evidence or testimonials of his academic journey, despite being the proper custodian of his personal records.

14. The petitioner, despite making a positive assertion that he passed the Class VIII examination from the said institution, has failed to dispel the doubts surrounding the authenticity of his certificate. Consequently, I find that the suspicion expressed by the District Inspector of Schools regarding the genuineness of the certificate was justified. Therefore, the District Inspector of Schools was correct in refusing to accede to the petitioner's claim for compassionate appointment. In the circumstances, I am of the view that it would be improper to direct the District Inspector of Schools to overlook such suspicion and grant compassionate appointment based solely on a certificate whose authenticity remains questionable

15. Therefore, I do not find any infirmity and/or perversity in the order dated 23.08.2023.

16. Consequently, the writ petition is, thus, disposed of, however, without any order as to costs.

**(Partha Sarathi Chatterjee, J.)**