

10.04.2025
(D/L-19)
Ct. No.4
(B.K.N.)

W.P.S.T. 51 of 2025

Pampa Rani Saha (Roy)
Vs.
The State of West Bengal & Ors.

Mr. Ramkrishna Bhattacharyya,
Mr. Kaushik Choudhury
...for the Petitioner

1. Affidavit of service filed by the petitioner is taken on record.
2. The petitioner, wife of a State Government employee who died in harness, is seeking the benefit of compassionate appointment. She filed O.A. No. 445 of 2015 wherein a direction was issued to the authorities to consider her claim. The claim was finally allowed after the second round of litigation in O.A. No. 237 of 2016. According to the petitioner she joined in Group-D on the post of General Duty Attendant on 19.12.2017 at the District Hospital, Balurghat, Dakshin Dinajpur. Nearly six years thereafter she approached the authorities by making a representation on 22.11.2023 that since her husband was working as a Group-C employee she should also be allowed to discharge duties in Group-C rather than Group-D in which group she was appointed on compassionate ground. It is this prayer which she has raised before the West Bengal Administrative Tribunal in O.A. No. 95 of 2024.

3. The Tribunal has rejected the prayer on the ground that the petitioner could not point out any provision under which having obtained compassionate appointment in Group-D she could be placed in a Group-C post. Merely for the fact that her husband while he was alive and in service was working on a Group-C post.
4. We have made a query from the learned counsel as to whether there is any provision under which the petitioner claimed the relief. Before us also it is submitted that since the husband was serving in a Group-C post, the compassionate appointment made now be considered as having been made in Group-C post because the petitioner also possesses the requisite qualification for a Group-C post.
5. Since no provision has been pointed out or is referred to buttress the claim raised by the petitioner before the Tribunal, we find no infirmity in the decision of the Tribunal dismissing the petitioner's Original Application bearing O.A. No. 95 of 2024. We find no reason to interfere with the same.
6. The writ petition is devoid of merit and dismissed.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)