

**2608
2025**

TUESDAY

COURT : MB-07
ITEM : AD-56
STAUTS : DO
ID : 266057
AR : NANDY

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 3906 OF 2013

SISIR SARKAR

VS.

THE STATE OF WEST BENGAL & ORS.

MR. GOUTAM BANERJEE, ADVOCATE

MR. RAJA GHOSH, ADVOCATE

.....for the Petitioner

1. The present writ petition has been preferred, alleging inaction on the part of the concerned respondent in taking steps to enlist the petitioner's name in the died-in-harness roster, and to grant him compassionate appointment to a post commensurate with his qualification.
2. Mr. Banerjee, learned Advocate appearing for the petitioner, submits that the petitioner's mother was serving as a Laboratory Assistant at Badanganj High School, located at Ghoghat, Hooghly. The petitioner, being her adopted son, made an application before the competent authority for inclusion of his name in the died-in-harness roster and prayed for compassionate appointment to any post suited to his qualification and capability.
3. However, despite receiving the application from the petitioner, no steps have been taken in this regard. This continued inaction has prompted the petitioner to prefer the present writ application.
4. Despite service, the State is unrepresented.
5. Mr. Banerjee submits that the petitioner would be satisfied if a direction is given to the concerned respondent to consider his representation.
6. Heard the learned Advocate for the petitioner and perused the materials on record.
7. The record reveals that the petitioner's mother died in harness on 19.12.2000. The petitioner made an application to the School Authority seeking his compassionate appointment, supported by testimonials and other requisite documents. The Managing Committee of the school adopted a resolution on 13.03.2001, deciding to recommend the petitioner's compassionate appointment. The Headmaster, by his letter dated 23.05.2001, also requested the District

Inspector of Schools to consider the petitioner's case. Several inter-departmental communications followed, and even the Joint Secretary, by his letter dated 25.01.2012, called for a report from the Hooghly District Primary School Council. Ultimately, however, no decision has been taken on the petitioner's representation and/or application.

8. The respondent cannot sit tight over the matter for an indefinite period.
9. Therefore, respondent no. 7 is directed to consider the petitioner's representation seeking compassionate appointment and to take a decision thereon after affording the petitioner an opportunity of hearing.
10. If respondent no. 7 finds substance in the petitioner's contention, then necessary follow-up action shall be taken. If the respondent does not find merit in the petitioner's representation, a reasoned order shall be passed and communicated to the petitioner.
11. The entire exercise shall be completed within a period eight weeks from the date of receipt of this order.
12. With these order and observations, **WPA 3906 of 2013** is **disposed of**.

(PARTHA SARATHI CHATTERJEE, J.)