

20.05.2025
Court No. 18
Item No. 24
(**Suvendu**)

WPA 9336 of 2025

Panchanan Sarkar
-Versus-

The State of West Bengal & Ors.

Mr. Kazi Ardan Ali
.....for the petitioner

Mr. Avishek Prasad
Mr. Souradeep Singha
.....for the DPSC, Malda

Mr. Bhaskar Prasad Vaisya
Mr. Nilay Baran Mondal
....for the State

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

Petitioner has approached this Court for
granting appointment on compassionate ground
since father of the petitioner was Head Teacher
of a primary school who died-in-harness on 9th
March, 1978. Petitioner prays for issuance of
mandamus directing the concerned State
authorities to appoint him on compassionate
ground.

Very purpose of giving appointment on
compassionate ground is to tide over immediate
financial hardship due to untimely death of
bread-earner. In the present case, father of the
petitioner died on 9th March, 1978. Therefore,
today it can be assumed that question of

immediate financial hardship cannot be a consideration after lapse of long period of time from the date of death of father of the petitioner. Moreover, at the time of death of father of the petitioner he was minor and it is trite law that right of a candidate to be appointed on compassionate ground cannot be preserved if at the time of death of employee applicant is minor unless there is specific provision in the scheme of appointment on compassionate ground.

Hence, no relief can be granted to the petitioner.

Writ petition stands dismissed.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)