

Form No. J(2)
Item No. ML/1516
KAUSHIK - AR (CT)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
(Appellate Side)

W.P.A. No.11054 of 2024

Ankita Bhowmik

Vs.

The State of West Bengal & Others

Before: The Hon'ble Justice Saugata Bhattacharyya

For the Petitioner : Mr. Sayan De, Adv.
Mr. Kaustav Shome, Adv.

For the DPSC, : Mr. Supriyo Chattopadhyay, Adv.
Dakshin Dinajpur Ms. Iti Dutta, Adv.

Heard On : 01.07.2025

Judgment On : 01.07.2025

Saugata Bhattacharyya, J.:

1. Exception filed on behalf of the petitioner is taken on record.
2. Petitioner prays for appointment on compassionate ground due to death of her mother, who was a primary teacher. Mother of the petitioner died on 19th March, 2002 when age of the petitioner was 11 years. It is submitted that petitioner was in receipt of pension due to

death of her mother but petitioner made application seeking appointment on compassionate ground.

3. The prayer of the petitioner is opposed by the learned advocate representing the respondents on the count that petitioner did not attain majority when mother died on 19th March, 2002. It is also submitted that object of providing compassionate appointment is to tide over immediately financial hardship due to untimely death of breadwinner.
4. Having considered the respective submissions made on behalf of the parties, this Court finds that age of the petitioner was 11 years at the time of death of her mother on 19th March, 2002. It is trite law that right of a candidate to get appointment on compassionate ground cannot be preserved till such candidate attains majority provided there is provision in the scheme of compassionate appointment. In the present case, nothing is shown which confers right upon the petitioner to be considered for appointment on compassionate ground on attaining majority since at the time of death of her mother her age was 11 years.
5. The object of giving appointment on compassionate ground is to tide over immediate financial hardship due to untimely death of the employee. In the present case, mother of the petitioner died on 19th March, 2002 and in the meantime, precisely 23 (twenty three) years have passed.
6. At this stage, no relief can be granted to the petitioner.
7. Hence, writ petition stands dismissed.

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

(Saugata Bhattacharyya, J.)